

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

TWENTY-NINTH DAY'S PROCEEDINGS

**Twenty-Ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 27, 2003

The Senate was called to order at 3:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

ABSENT

Bean	Thomas
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Father Louis Oubre, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 27, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 256—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1159, relative to electronic access to certain information of the Board of Ethics; to require the Board of Ethics to make certain information accessible to the public via the Internet; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 27, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 92—

BY REPRESENTATIVES PINAC, BALDONE, AND PEYCHAUD

AN ACT

To enact Chapter 8 of Code Title VII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3195 through 3199, and R.S. 37:1455(A)(33), relative to real estate; to require certain disclosures; to provide for definitions; to provide for applicability; to provide for exemptions; to provide for the duties of the seller; to provide for conditions for termination of the real estate contract; to provide relative to information contained in the property disclosure document; to provide relative to the liability of the seller; to provide relative to the duties and liability of a real estate licensee; to provide relative to other statutory disclosure obligations; to provide for certain penalties for real estate licensees, registrants, and certificate holders; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 157—

BY REPRESENTATIVES DOWNER, FUTRELL, CAPELLA, R. CARTER, FAUCHEUX, AND WELCH

AN ACT

To amend and reenact R.S. 29:407(D), relative to the Military Service Relief Act; to provide relative to reinstatement of dependents to group, blanket, or franchise life, health, medical, and accident insurance after release from military service; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 254—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 38:2212.1(A)(1), relative to the Public Bid Law; to provide relative to the purchase of materials or supplies; to increase the purchase amount for which advertisement and letting by contract are necessary; to increase the purchase amount for which telephone or facsimile quotations are necessary; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 320—

BY REPRESENTATIVES DOWNER, FUTRELL, GARY SMITH, GALLOT, HUNTER, MONTGOMERY, MURRAY, SNEED, WADDELL, AND WALSWORTH

AN ACT

To amend and reenact R.S. 44:132, to enact R.S. 44:20, and to repeal R.S. 29:284, relative to the recordation of discharge records from the armed forces; to provide for exemption of military discharge records from the public records law; to provide for release of confidential military discharge records to the veteran and to the executor of his estate or any family member of the veteran if the veteran is deceased; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 324—

BY REPRESENTATIVE LANCASTER

AN ACT

To repeal R.S. 49:191(12)(k), relative to the Department of Elections and Registration; to repeal the termination date of the Department of Elections and Registration; to provide relative to the existence of the Department of Elections and Registration and the statutory entities made a part of the department by law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 325—

BY REPRESENTATIVE LANCASTER

AN ACT

To enact R.S. 49:191(13)(k) and to repeal R.S. 49:191(12)(f), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 326—

BY REPRESENTATIVE LANCASTER

AN ACT

To enact R.S. 49:191(13)(k) and to repeal R.S. 49:191(12)(g), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 327—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 42:141(A) and (B), 161, and 162(A), relative to the oath of office taken by a public officer; to provide for when a public official shall take the oath of office and who may administer the oath; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 452—

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 37:1446(H), relative to real estate licensees; to provide for factors to determine independent contractor status of salespersons and associate brokers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 506—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 44:36(D), relative to the preservation of certain records accumulated by the Department of Public Safety and Corrections, Corrections Services; to reduce the length of time records pertaining to adult offenders must be kept and not destroyed by the Department of Public Safety and Corrections, Corrections Services; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 631—

BY REPRESENTATIVE CURTIS

AN ACT

To amend and reenact R.S. 33:2740.46(B)(2) and (C), relative to the Alexandria Central Economic Development District; to provide relative to the boundaries of the district; to decrease the membership of the governing board of the district; to provide relative to the appointment, removal, and terms of board members; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 695—

BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, CAPELLA, DAMICO, GREEN, LANCASTER, AND TOOMY

AN ACT

To amend and reenact R.S. 44:11(C) and to enact R.S. 44:11(A)(4), relative to public records; to provide that certain information in the personnel records of public employees is confidential under certain circumstances; to authorize disclosure of such information under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 709—

BY REPRESENTATIVES DOWNER, FUTRELL, CAPELLA, R. CARTER, FAUCHEUX, AND WELCH

AN ACT

To amend and reenact R.S. 29:405(A), relative to the Military Service Relief Act; to provide for the payment of compensation of state employees called to active service in the uniformed services; to provide for differential pay; to provide for clarification of uniformed service for payment of supplemental pay; to provide for applicability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 721—

BY REPRESENTATIVES WINSTON AND STRAIN AND SENATOR THOMAS

AN ACT

To enact R.S. 49:149.27, relative to public buildings; to provide that the building in Covington known as the St. Tammany Livestock Show Facility be renamed as the Bobby Fletcher Agricultural Center; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 792—

BY REPRESENTATIVE L. JACKSON
AN ACT

To enact R.S. 17:1603, relative to state buildings; to provide that the administration building at Southern University at Shreveport be renamed the Dr. Leonard C. Barnes Administration Building; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 858—

BY REPRESENTATIVES LANCASTER AND HUNTER
AN ACT

To amend and reenact R.S. 42:1353, 1354, 1355(A), 1357(A)(1), 1359(A), and 1360, relative to the election of the employee member of the State Civil Service Commission; to provide procedures for such election; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 887—

BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:1150, relative to producers of record; to provide relative to authorization and recognition of such producers by insurers; to provide with respect to change or removal of such producers; to provide relative to payment of commissions; to make such provisions applicable to accident and health insurers and all bond business; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 943—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 9:3143(6), 3144(A)(2), and 3150 and to enact R.S. 9:3144(B)(19), relative to home warranties; to provide for definitions; to provide for certain warranties; to provide for exclusions; to provide relative to civil actions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 975—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 37:77.1, relative to accountants; to provide for the continued operation and certification of certain single-owner CPA firms for a certain period of time following such owner's death; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1053—

BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 42:6.1(A)(9) and R.S. 44:20, relative to tests prepared, administered, or scored by the office of the state examiner, municipal fire and police civil service; to provide that certain test-related information is confidential; to require certain presentations of such test-related information to occur in executive session; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1067—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:969.15(A)(introductory paragraph) and (1) and R.S. 9:3527(A)(introductory paragraph) and (1) and (C)(1) and to repeal R.S. 9:3527(C)(2), relative to consumer credit; to provide relative to delinquency charges in motor

vehicle credit transactions and consumer credit transactions; to provide relative to written notices of delinquency charges; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1146—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 9:2772(A)(introductory paragraph) and (2), (B)(1)(a), and (G), R.S. 12:23(E)(2), 304(C)(2), 1171(A), 1173, 1178(C), and 1179(A) and (C), R.S. 14:63(G)(1), 63.9(B)(2), and 63.12(D), R.S. 36:509(C), R.S. 37:681, 682, 688, 689, 690, 691(B), 692, 693, 694, 696, 697, 697.1, 698, 700, 701, 702, 1736(A)(4) and (5) and (B), and 2950(D)(1)(a)(x), R.S. 41:642(B) and 1702(C), R.S. 44:41, and R.S. 56:438, to enact R.S. 12:204(F) and 1306(E), and to repeal R.S. 37:699, relative to professional engineers and professional land surveyors; to revise various statutes to reflect the proper designation of the Louisiana Professional Engineering and Land Surveying Board; to revise certain operating procedures of the board; to provide rules for regulation of business entities other than corporations; to provide for disciplinary and enforcement actions and a procedure for such actions; to provide for misdemeanors; to provide for fines for certain acts and offenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1196—

BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 25:380.52(C), relative to the Louisiana Delta Music Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1209—

BY REPRESENTATIVE CAPELLA
AN ACT

To enact R.S. 22:2034, relative to insurance; to provide for dental referral plans; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1230—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:570(E) and (F), relative to execution; to provide that the identities of certain persons who participate in executions of the death sentence shall be confidential; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1264—

BY REPRESENTATIVES SALTER AND ILES
AN ACT

To amend and reenact R.S. 38:2325(A), relative to the powers of the Sabine River Authority; to establish a conservation pool level; to prohibit the generation of hydroelectric power under certain circumstances; to provide relative to limitations on other uses of water in the reservoir; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1343—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 37:1448, 1455(A)(11), 1457, and 1458 and to enact R.S. 37:1455(A)(33), 1456(C), and 1459, relative to licensing of real estate agents; to provide for penalties for unlicensed persons or persons whose license is suspended or revoked who engage in certain real estate activity; to provide for certain rules of procedure for administrative and judicial proceedings; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1353—

BY REPRESENTATIVES DOWNER, FAUCHEUX, MCDONALD, FUTRELL, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BEARD, BOWLER, BROOME, BRUCE, CAPELLA, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DIEZ, DOERGE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FLAVIN, FRITH, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, MARTINY, MURRAY, NEVERS, ODINET, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOWNSEND, TUCKER, WADDELL, WALKER, WALSWORTH, WELCH, AND WRIGHT AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 29:253(A)(2) and (3), relative to the Veterans' Affairs Commission; to provide for the nomination, appointment, and terms of office of the members; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1354—

BY REPRESENTATIVES DOWNER, BRUNEAU, GALLOT, LANCASTER, MONTGOMERY, MURRAY, PITRE, SCALISE, JOHN SMITH, WADDELL, AND WALSWORTH

AN ACT

To amend and reenact R.S. 18:1307(C), relative to an application to vote absentee by mail; to provide for the application of a member of the United States Service or person who resides outside the United States to be valid through two subsequent federal general elections; to require the registrar to provide written reasons for rejecting the application of a United States Service member or other person residing outside the United States; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1448—

BY REPRESENTATIVES HEBERT, ERDEY, BOWLER, CAPELLA, MORRISH, GARY SMITH, BALDONE, GLOVER, SCALISE, AND WALSWORTH

AN ACT

To enact Part XXXI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1481 through 1494, relative to the use of credit information for personal insurance; to provide for requirements and restrictions; to provide for corrections; to provide for notification; to provide for filings; to provide for indemnification; to provide for applicability; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1448 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 5, following "dwelling" and before "insurance" change "dire" to "fire"

AMENDMENT NO. 2

On page 7, line 19, following "U.S.C." and before "(a)(5)" change "1681(i)" to "1681i"

HOUSE BILL NO. 1523—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 6:969.37(B) and R.S. 9:3512(4) and 3514(A), relative to Louisiana Motor Vehicle Sales Finance Act; to increase certain fees; to provide for regulation of certain transactions under the Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1539—

BY REPRESENTATIVES PINAC, BRUCE, AND FRITH

AN ACT

To amend and reenact R.S. 37:3393, 3394(B)(1)(b), (D), (G), and (I), 3395(A), 3396(C) through (F), 3397, 3398(A)(introductory paragraph), (1), and (6), (B), (C), and (D), 3400, 3401(A), (B), and (C)(2) and (3)(c), 3403, 3405, 3406(A), (B), and (D), 3407(A)(1), (2), and (5) and (B), 3408(A), (B), (C)(introductory paragraph) and (1), (D)(introductory paragraph), (1), and (2), and (F), 3409(A)(introductory paragraph) and (6) and (B) through (F), 3410, 3411, and 3413 and R.S. 48:443(A), to enact R.S. 37:3392(11) through (15), 3395(C) and (D), 3401(D), 3409(A)(8), (9), and (10), and to repeal R.S. 37:3392(5), (8), and (10), 3398(E), 3399, 3401(C)(1) and (3)(b), 3402, 3404, and 3406(C), relative to real estate appraisers; to provide for definitions; to provide for licensure of real estate appraiser trainees, residential certified real estate appraisers, and general certified real estate appraisers; to provide for the board and its powers and duties; to provide for applications and classes of licensure; to provide for examinations and education and experience requirements; to provide for license terms; to provide for nonresident licensees; to provide for renewals; to prohibit licensure to certain entities; to provide for the principal place of business of a licensee; to provide for the use and display of licenses; to provide for fees and disciplinary proceedings; to provide relative to standards, documents to be retained, false information, and penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1594—

BY REPRESENTATIVES K. CARTER, BAYLOR, BROOME, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MORRELL, MURRAY, PEYCHAUD, PIERRE, QUEZAIRE, RICHMOND, SWILLING, AND WELCH

AN ACT

To enact R.S. 18:18(A)(8), relative to the duties and powers of the secretary of state; to provide for the secretary of state to be responsible for the implementation of voter registration week; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1649—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 44:11(D), relative to confidentiality of certain information in personnel records; to provide that certain information in the personnel records of a public employee or public official shall be confidential; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1669—

BY REPRESENTATIVES THOMPSON, R. CARTER, BAUDOUIN, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part VI of Chapter 5 of Title 3 of the Louisiana Revised statutes of 1950, to be comprised of R.S. 3:551.1 through 551.12, relative to the production and sale of eggs in Louisiana; to provide relative to the composition of the Louisiana Egg Commission; to provide relative to the authority of the commission and the authority of the commissioner of agriculture and forestry to regulate the egg business; to provide relative to research on and marketing of eggs; to provide for fees and assessments; to provide relative to certain violations and penalties therefor; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1691—

BY REPRESENTATIVE HEBERT

AN ACT

To enact Part V-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:191 through 200, and R.S. 22:1078 (B)(19) and (20), and to repeal Part V-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:201 through 210.1, relative to viatical settlements of life insurance; to provide for licenses; to provide for revocation and denial; to provide for contracts; to provide for privacy; to provide for examinations and investigations; to provide for disclosures; to provide for rules; to provide for prohibitions; to provide for advertising; to provide for fraud; to provide for legal proceedings; to provide for unfair trade practices; to provide for authority of the commissioner of insurance; to provide for fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1769 (Substitute for House Bill No. 698 by Representative Pinac)—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1568.1, relative to orders of the fire marshal; to provide that the fire marshal shall order an investigation of any fire resulting in any human death; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1796—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 12:954 (introductory paragraph) and (3), 959, 965 and 969 and to enact R.S. 12:954(4); relative to corporations; to make technical corrections to the Industrial or Economic Development Corporations law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1833—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:1142(A) (introductory paragraph) and (4) and R.S. 40:1428(A)(3), relative to insurance fraud; to provide for licensing; to provide for funding; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2005 (Substitute for House Bill No. 1082 by Representative Hebert)—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 22:1513.1, relative to review of dental claims; to provide relative to appeals of denied dental claims; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2011 (Substitute for House Bill No. 1382 by Representative Lancaster)—

BY REPRESENTATIVES LANCASTER, DEWITT, BRUNEAU, ANSARDI, BALDONE, BOWLER, CAPELLA, MARTINY, SCALISE, SNEED, AND STRAIN

AN ACT

To amend and reenact R.S. 24:35.5(A)(11), (12), (52), (53), (74), (75), (79), (80), (81), and (82), (B), and (C), to provide for the composition of House of Representative Districts Nos. 11, 12, 52, 53, 74, 75, 79, 80, 81, and 82; to provide for the precincts used to compose such districts; to provide for severability; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2012 (Substitute for House Bill No. 1422 by Representative Hebert)—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:173.1(C) (introductory paragraph) and to enact R.S. 22:173.1(L), relative to standard nonforfeiture law for individual deferred annuities; to provide for minimum values; to provide for net considerations; to provide for interest rates; to provide for the authority of the commissioner; to provide for rules; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 2012 by Representative Hebert

AMENDMENT NO. 1

On page 2, lines 18 and 19, following "in" and before "; and" change "Subsection (L)(2) of this Section" to "Paragraph (2) of this Subsection"

AMENDMENT NO. 2

On page 3, line 13, change "Subparagraph (L)(2)(d) of this Section" to "Subparagraph (2)(d) of this Subsection"

AMENDMENT NO. 3

On page 3, line 25, following "in" and before "by" change "Subparagraph (L)(2)(b) of this Section" to "Subparagraph (2)(b) of this Subsection"

AMENDMENT NO. 4

On page 4, line 9, change "Paragraph (L)(3) of this Section" to "Paragraph (3) of this Subsection"

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 27, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 150—

BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 45:844.4 and 844.8, relative to telephonic solicitations; to provide relative to solicitations to wireless subscribers; to provide for definitions; to prohibit certain solicitations; to provide for responsibility; to provide for investigations and penalties; and to provide for related matters.

HOUSE BILL NO. 859—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 37:1474(B), relative to the Louisiana State Board of Home Inspectors; to include the International Society of Home Inspectors among the organizations that provide a list of names for selection of the members of the board; and to provide for related matters.

HOUSE BILL NO. 883—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 33:2870, 2891.4, 4720.16(C), 4720.29(A), and 4720.30(C) and to enact R.S. 33:2881, 4720.16(D), and 4720.29(D), relative to the post-adjudication sale or donation of adjudicated property; to authorize the purchaser or donee of such property to record an affidavit relative to notice procedures; to provide relative to the cancellation of encumbrances recorded against such property and to require the clerks of court to cancel encumbrances recorded against such property; to exempt such property from certain provisions governing the transfer of property acquired by the state or political subdivisions; and to provide for related matters.

HOUSE BILL NO. 1339—

BY REPRESENTATIVE GLOVER

AN ACT

To rename a portion of Louisiana Highway 3132 between Interstate 20 and Interstate 49, located in Caddo Parish, the Terry Bradshaw Passway; and to provide for related matters.

HOUSE BILL NO. 1237—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact Code of Civil Procedure Articles 2332(A), 2636(1), and 3722 and to repeal Code of Civil Procedure Article 2639, relative to foreclosure; to provide for appraisals in judicial sales under fieri facias; to provide for authentic evidence in executory proceedings; to provide for enforcement by ordinary process; and to provide for related matters.

HOUSE BILL NO. 892—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 47:6007(C)(4), relative to economic development incentives; to provide that certain out-of-state employees locating in Louisiana qualify as "new direct jobs" when determining the amount of rebates under the Quality Jobs Rebate Program; to provide relative to certain transactions of motion picture investors; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 976—

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 32:63.2, relative to speed limits; to provide for speed limits on Louisiana Highway 182; and to provide for related matters.

HOUSE BILL NO. 1051—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact Code of Civil Procedure Article 1920, relative to court costs; to require the non-prevailing party to pay all costs if the suit is frivolous; and to provide for related matters.

HOUSE BILL NO. 1564—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 46:236.5(C), relative to hearing officers; to provide for the use of hearing officers in expedited proceedings relative to domestic matters; to expand the authority of hearing officers; to provide for the entering of default judgments; to provide for the granting of uncontested matters; to authorize the referral for mediation, evaluations, and drug tests; to provide for contempt of court; to provide a process for objecting to a hearing officer's recommendations; to provide for final judgments; and to provide for related matters.

HOUSE BILL NO. 1617—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact Civil Code Article 1833, relative to signatures on authentic acts; to require legible hand printed or typed names; to provide for defect of form; and to provide for related matters.

HOUSE BILL NO. 1820—

BY REPRESENTATIVE M. JACKSON

AN ACT

To enact Code of Evidence Article 518, relative to privileged communications; to provide for a testimonial privilege for certain communications made to a trained peer support member; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1708—

BY REPRESENTATIVES HAMMETT AND FAUCHEUX

AN ACT

To enact Part V of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.1 and 1950.2, relative to historic roads and Louisiana byways; to designate the Louisiana Great River Road as a Louisiana byway; and to provide for related matters.

HOUSE BILL NO. 173—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 45:844.12(4)(g), relative to telephonic solicitations; to provide for definitions; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 1672—

BY REPRESENTATIVES BROOME, WELCH, LUCAS, AND MURRAY
AN ACT

To enact R.S. 1:58.2, relative to special days; to recognize and designate the third Saturday in June as "Juneteenth Day"; to provide that this date shall be observed by the state; and to provide for related matters.

HOUSE BILL NO. 811—

BY REPRESENTATIVE MURRAY
AN ACT

To enact Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2091 through 2094, relative to the Orleans and Jefferson Parish Transportation Authority; to create the Orleans and Jefferson Parish Transportation Authority to discuss and coordinate transportation issues pertaining to Orleans and Jefferson Parish; and to establish the boundaries thereof; to provide for a board of commissioners; to provide for membership of such board its powers, duties, and functions; and to provide for related matters.

HOUSE BILL NO. 1794—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact Code of Civil Procedure Article 970(C), relative to offer of judgment procedures; to provide for attorney fees; and to provide for related matters.

HOUSE BILL NO. 1814—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:274.1(A), relative to highways; to provide relative to logo signs on interstate highways and other certain highways; to authorize the department to contract with a qualified third party for the placement and maintenance of logo signs; to provide relative to the contract and accounting of revenues between the parties; to provide relative to fees for certain logo signs; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 1840—

BY REPRESENTATIVE DARTEZ
AN ACT

To amend and reenact R.S. 37:1104(A), (B)(1) and (2)(a) and (C), 1116(B)(introductory paragraph) and (C)(introductory paragraph), 1120(A)(introductory paragraph), and 1121 and to repeal R.S. 37:1104(B)(2)(d) and 1106(A)(9), relative to licensed marriage and family therapists; to provide for changes to the content of the board; to delete the examination fee for marriage and family license applicants; to provide for replacements for vacancies that arise in the board; and to provide for related matters.

HOUSE BILL NO. 1861—

BY REPRESENTATIVES BRUCE AND PINAC
AN ACT

To amend and reenact R.S. 6:101(B)(1) and (4), relative to the commissioner of the Office of Financial Institutions; to provide for qualifications; and to provide for related matters.

HOUSE BILL NO. 1935—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to special prestige license plates; to require an organization to prepay the secretary of the office of motor vehicles for one thousand license plates or provide a guarantee that one thousand license plates will be purchased before such a plate is created; and to provide for related matters.

HOUSE BILL NO. 2020 (Substitute for House Bill No. 1546 by Representative Bowler)—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 9:2273, relative to trusts; to provide for the definition of corporate trustee; and to provide for related matters.

HOUSE BILL NO. 1839—

BY REPRESENTATIVES BAYLOR AND L. JACKSON
AN ACT

To enact Children's Code Article 423(C)(6), relative to the authority of hearing officers in juvenile court; to authorize hearing officers to hear and make recommendations on all restraining orders filed in accordance with Children's Code Articles 1569 and 1570; and to provide for related matters.

HOUSE BILL NO. 1928—

BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 48:229, relative to the state highway system; to provide relative to priority reports on construction projects; to provide relative to the factors the Department of Transportation and Development shall consider when deciding the order of priorities; to require the department to consider certain factors when determining the order of priority projects; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 150—

BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 45:844.4 and 844.8, relative to telephonic solicitations; to provide relative to solicitations to wireless subscribers; to provide for definitions; to prohibit certain solicitations; to provide for responsibility; to provide for investigations and penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 173—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 45:844.12(4)(g), relative to telephonic solicitations; to provide for definitions; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 811—

BY REPRESENTATIVE MURRAY
AN ACT

To enact Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2091 through 2094, relative to the Orleans and Jefferson Parish Transportation Authority; to create the Orleans and Jefferson Parish Transportation Authority to discuss and coordinate transportation issues pertaining to Orleans and Jefferson Parish; and to establish the boundaries thereof; to provide for a board of commissioners; to provide for membership of such board its powers, duties, and functions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 859—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 37:1474(B), relative to the Louisiana State Board of Home Inspectors; to include the International Society of Home Inspectors among the organizations that provide a list of names for selection of the members of the board; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 883—
BY REPRESENTATIVE BROOME
AN ACT

To amend and reenact R.S. 33:2870, 2891.4, 4720.16(C), 4720.29(A), and 4720.30(C) and to enact R.S. 33:2881, 4720.16(D), and 4720.29(D), relative to the post-adjudication sale or donation of adjudicated property; to authorize the purchaser or donee of such property to record an affidavit relative to notice procedures; to provide relative to the cancellation of encumbrances recorded against such property and to require the clerks of court to cancel encumbrances recorded against such property; to exempt such property from certain provisions governing the transfer of property acquired by the state or political subdivisions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 892—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 47:6007(C)(4), relative to economic development incentives; to provide that certain out-of-state employees locating in Louisiana qualify as "new direct jobs" when determining the amount of rebates under the Quality Jobs Rebate Program; to provide relative to certain transactions of motion picture investors; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 976—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 32:63.2, relative to speed limits; to provide for speed limits on Louisiana Highway 182; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1051—
BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact Code of Civil Procedure Article 1920, relative to court costs; to require the non-prevailing party to pay all costs if the suit is frivolous; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1237—
BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact Code of Civil Procedure Articles 2332(A), 2636(1), and 3722 and to repeal Code of Civil Procedure Article 2639, relative to foreclosure; to provide for appraisals in judicial sales under fieri facias; to provide for authentic evidence in executory proceedings; to provide for enforcement by ordinary process; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1339—
BY REPRESENTATIVE GLOVER
AN ACT

To rename a portion of Louisiana Highway 3132 between Interstate 20 and Interstate 49, located in Caddo Parish, the Terry Bradshaw Passway; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1564—
BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 46:236.5(C), relative to hearing officers; to provide for the use of hearing officers in expedited proceedings relative to domestic matters; to expand the authority of hearing officers; to provide for the entering of default judgments; to provide for the granting of uncontested matters; to authorize the referral for mediation, evaluations, and drug tests; to provide for contempt of court; to provide a process for objecting to a hearing officer's recommendations; to provide for final judgments; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1617—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact Civil Code Article 1833, relative to signatures on authentic acts; to require legible hand printed or typed names; to provide for defect of form; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1672—
BY REPRESENTATIVES BROOME, WELCH, LUCAS, AND MURRAY
AN ACT

To enact R.S. 1:58.2, relative to special days; to recognize and designate the third Saturday in June as "Juneteenth Day"; to provide that this date shall be observed by the state; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1708—
BY REPRESENTATIVES HAMMETT AND FAUCHEUX
AN ACT

To enact Part V of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.1 and 1950.2, relative to historic roads and Louisiana byways; to designate the Louisiana Great River Road as a Louisiana byway; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1794—
BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact Code of Civil Procedure Article 970(C), relative to offer of judgment procedures; to provide for attorney fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1814—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:274.1(A), relative to highways; to provide relative to logo signs on interstate highways and other certain highways; to authorize the department to contract with a qualified third party for the placement and maintenance of

logo signs; to provide relative to the contract and accounting of revenues between the parties; to provide relative to fees for certain logo signs; to authorize the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1820—

BY REPRESENTATIVE M. JACKSON
AN ACT

To enact Code of Evidence Article 518, relative to privileged communications; to provide for a testimonial privilege for certain communications made to a trained peer support member; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1839—

BY REPRESENTATIVES BAYLOR AND L. JACKSON
AN ACT

To enact Children's Code Article 423(C)(6), relative to the authority of hearing officers in juvenile court; to authorize hearing officers to hear and make recommendations on all restraining orders filed in accordance with Children's Code Articles 1569 and 1570; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1840—

BY REPRESENTATIVE DARTEZ
AN ACT

To amend and reenact R.S. 37:1104(A), (B)(1) and (2)(a) and (C), 1116(B)(introductory paragraph) and (C)(introductory paragraph), 1120(A)(introductory paragraph), and 1121 and to repeal R.S. 37:1104(B)(2)(d) and 1106(A)(9), relative to licensed marriage and family therapists; to provide for changes to the content of the board; to delete the examination fee for marriage and family license applicants; to provide for replacements for vacancies that arise in the board; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1861—

BY REPRESENTATIVES BRUCE AND PINAC
AN ACT

To amend and reenact R.S. 6:101(B)(1) and (4), relative to the commissioner of the Office of Financial Institutions; to provide for qualifications; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1928—

BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 48:229, relative to the state highway system; to provide relative to priority reports on construction projects; to provide relative to the factors the Department of Transportation and Development shall consider when deciding the order of priorities; to require the department to consider certain factors when determining the order of priority projects; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1935—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to special prestige license plates; to require an organization to prepay the secretary of the office of motor vehicles for one thousand license plates or provide a guarantee that one thousand license plates

will be purchased before such a plate is created; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 2020 (Substitute for House Bill No. 1546 by Representative Bowler)—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 9:2273, relative to trusts; to provide for the definition of corporate trustee; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 27, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 171—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To commend Courtney Porteous Millet upon being named the 2002 Louisiana Elementary School Principal of the Year.

HOUSE CONCURRENT RESOLUTION NO. 173—

BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION

To request the commissioner of agriculture and forestry to examine agricultural commodities imported into Louisiana from the state of California to confirm their compliance with public health and safety standards.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 171—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To commend Courtney Porteous Millet upon being named the 2002 Louisiana Elementary School Principal of the Year.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Gautreaux	Malone
Boissiere	Hines	McPherson
Cain	Hollis	Michot
Chaisson	Hoyt	Mount
Cravins	Irons	Romero
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—29		

NAYS

Total—0

ABSENT

Adley	Heitmeier	Theunissen
Barham	Holden	Thomas
Bean	Marionneaux	
Fontenot	Schedler	
Total—10		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 173—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To request the commissioner of agriculture and forestry to examine agricultural commodities imported into Louisiana from the state of California to confirm their compliance with public health and safety standards.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 88—

BY REPRESENTATIVES STRAIN, NEVERS, POWELL, SCHWEGMANN, SHAW, FLAVIN, GUILLORY, JOHNS, LANCASTER, JOHN SMITH, WADDELL, WALKER, WINSTON, AND WOOTON AND SENATORS DUPRE, GAUTREAUX, ADLEY, CAIN, ROMERO, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b) and (3) through (6) and to enact R.S. 27:392(B)(7), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of certain revenues; to make certain technical corrections; to establish the Equine Health Studies Program Fund in the state treasury; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Equine Health Studies Program Fund; to provide for the use of the monies in such fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 106—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 14:102.12(introductory paragraph) and to enact R.S. 14:102.18, relative to the seizure and euthanizing of dogs; to authorize law enforcement officers and animal control officers to seize dogs which cause death or inflict serious bodily injury on human beings; to provide for a hearing to determine whether such dogs shall be euthanized; to provide for owner liability for costs and expenses of keeping the dog in certain circumstances; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

HOUSE BILL NO. 140—

BY REPRESENTATIVES ANSARDI AND JOHNS

AN ACT

To amend and reenact Children's Code Article 1131 and to enact Chapter 2-A of Title XI of the Children's Code, to be comprised of Articles 1107.1 through 1107.9, relative to voluntary surrender for adoption; to provide rules to facilitate the intent to surrender process; to provide forms to be used in intent to surrender cases; to provide procedural safeguards in intent to surrender cases; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 515—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 14:331.1 and to repeal Part XV of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3573.1 through 3573.16, relative to credit repair services; to prohibit the business of credit repair services in the state; to provide for exceptions; to provide for penalties for violations; to provide relative to the Office of Financial Institutions; to repeal licensing and regulatory requirements; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and Internal Affairs.

HOUSE BILL NO. 1190—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1083(6), 1087(B)(1), (10), and (C), 1088(F)(5), 1089(A)(1) and (B)(1) and (2), 1090(B)(2)(introductory paragraph) and (3), 1091(C)(1), 1096(G), 1097(B)(introductory paragraph), and 1099(B), to enact R.S. 6:1086(C), 1090(B)(4), 1092(J), 1094(G), and 1096(I), and to repeal R.S. 6:1087(D) and 1092(D), relative to residential mortgage lending activities; to expand the definition of originator; to provide for and eliminate licensing exemptions; to provide for licensing qualifications; to define acquisition or control of a licensee; to allow the commissioner to disseminate information; to provide for licensing of previously exempt person; to prohibit and punish certain practices; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and Internal Affairs.

HOUSE BILL NO. 1315—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 32:432(A) and to enact R.S. 32:414(P) and 432(C) and R.S. 47:296.2, relative to individual income tax; to suspend drivers' licenses for failure to pay individual income tax; to deny the renewal of drivers' licenses for failure to pay individual income tax; to provide for promulgation of rules; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1406—

BY REPRESENTATIVE ROMERO

AN ACT

To enact R.S. 45:164(E), relative to common carriers; to provide relative to movers of household goods; to require all movers of household goods to comply with certain requirements; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1492—

BY REPRESENTATIVES MONTGOMERY AND MURRAY

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b) and (3) through (6) and to enact R.S. 27:392(B)(7), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to authorize appropriations of such revenues to certain entities serving the blind; to establish the Equine Health Studies Program Fund in the state treasury and to provide for the deposit of monies into the fund and for the uses of such monies; to provide for certain dedications; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1756—

BY REPRESENTATIVES PEYCHAUD, L. JACKSON, CURTIS, HONEY, MURRAY, RICHMOND, JACK SMITH, SWILLING, WALKER, WELCH, WINSTON, BROOME, K. CARTER, M. JACKSON, AND MORRELL AND SENATOR IRONS

AN ACT

To enact R.S. 40:600.6(A)(4)(b)(vi) and (25) and Chapter 3-B of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.26, and Subpart X of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.64, relative to the Louisiana Housing Finance Agency; to create the Louisiana Housing Trust Fund; to provide for use of the trust fund to assist low-income individuals and families by providing for development, rehabilitation, and preservation of affordable housing; to provide for deposit of certain monies into the trust fund; to provide for authority to administer the trust fund; to exempt the trust fund from the Administrative Procedure Act; to provide for a refund checkoff on individual state income tax returns for the trust fund; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1854—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 35:12 and 191(C)(2)(a) and to enact R.S. 35:202, 215, 216, and 409, relative to notaries public; to provide for the use of identification numbers on notarized documents; to require the filing of annual reports and filing fees; to provide for

late charges and penalties; to provide for uniform standards for notary examinations; to provide for the authority and duties of the secretary of state; to provide for certain fees; to provide for a database of all notaries; to provide for the authority of ex officio notaries; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1979—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 47:511(C), relative to accounts created under the International Registration Plan interstate compact; to provide for the refund of registration or licensure fees to owners of vehicles registered or licensed under certain circumstances; to provide procedures for such refunds; to provide for limitation of liability; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 2019 (Substitute for House Bill No. 1715 by Representative Glover)—

BY REPRESENTATIVES GLOVER AND L. JACKSON

AN ACT

To enact R.S. 40:31.2, relative to public health; creates the Interagency Task Force on Health Literacy; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**FINANCE**

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

May 22, 2003

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

SENATE BILL NO. 61—

BY SENATOR C. JONES

AN ACT

To enact Part III-A of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2326 through 2330, relative to economic development activities; to provide for the creation of the Monroe and Northeast Louisiana Technology and Business Incubation Center; to provide definitions; to provide for qualifications; to provide for grants; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 213—

BY SENATOR DARDENNE

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to state funds; to create the Louisiana Coastal Restoration Fund in the state treasury; to provide for deposit of

monies into the fund; to provide for investment and uses of monies in the fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 326—

BY SENATOR BAJOE

AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445 through 1448, relative to child care workers; to provide a scholarship to child care workers who obtain child care training from programs approved by the Department of Social Services; to require the Department of Social Services to establish the amount of the scholarship to be paid; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 504—

BY SENATOR DARDENNE

AN ACT

To enact Part II-A of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.51, relative to funds for coastal restoration; to create the Louisiana Coastal Restoration Fund; to provide for sources of funding and for authorized uses; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 561—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 36:801 and to enact R.S. 36:610(J) and Subpart I-I of Part I of Chapter 2 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:799.1 through 799.4, relative to the White Lake Property Fund; to create the White Lake Property Fund in the state treasury as a fund within the Louisiana Wildlife and Fisheries Conservation Fund; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to create the White Lake Property Advisory Board; to provide for its domicile, membership and duties; to authorize the board to solicit and accept donations; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 594—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 30:2154(B)(1)(a) and the introductory paragraph of (b) and to enact R.S. 30:2154(B)(9), relative to environmental quality; to provide for the disposal of sewage or treated waste water; to provide for a definition; to provide for limitations; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 262—

BY SENATOR MOUNT

AN ACT

To enact R.S. 33:4712.8, relative to economic development for the city of Westlake; to authorize the city of Westlake to transfer certain property no longer needed for public purposes; to provide for the creation of a board to govern the sale of such property; to provide for the purpose, powers, duties and membership of the board; to provide for the authority of the board; to provide for the duties of the governing authority of the city of Westlake with respect to the board; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 262 by Senator Mount

AMENDMENT NO. 1

On page 9, line 23, delete "shall be"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 706—

BY SENATOR IRONS

AN ACT

To enact R.S. 17:406.6, relative to parental involvement in schools; to provide for the establishment of a demonstration program in certain school systems; to provide for the definition, selection and duties of an independent parent review board; to provide relative to the evaluation of parental involvement programs; to require a report of findings to the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 706 by Senator Irons

AMENDMENT NO. 1

On page 1, line 4, after "systems;" insert "to provide for the selection of participating schools;" and after "definition," insert "qualification,"

AMENDMENT NO. 2

On page 2, line 2, after "Behind" change "Law" to "Act"

AMENDMENT NO. 3

On page 2, line 11, after "(2)(a)" delete "The" and insert "(i) Provided that funds are available through the Temporary Assistance to Needy Families program, the"

AMENDMENT NO. 4

On page 2, line 14, after "selected" insert "by the independent review panel from among all eligible schools identified"

AMENDMENT NO. 5

On page 2, line 15, after "board" insert "as having either a lower test score result for students on the most recent Louisiana Educational Assessment Program test than its immediately prior result or not less than a five point improvement in such scores as determined by the state Department of Education for use in determining the school's school performance score as part of the School and District Accountability Program"

AMENDMENT NO. 6

On page 2, between lines 15 and 16, insert the following:

"(ii) The independent parent review board shall select from among the eligible schools a cross section of ten elementary, middle, and high schools after considering both the test scores and an assessment of school readiness."

AMENDMENT NO. 7

On page 3, between lines 11 and 12, insert the following:

"(b) To qualify for selection as an independent parent review board, the nonprofit community-based organization shall:

(i) Have been in existence for at least four years prior to consideration.

(ii) Have an available research-based model for systemic evaluation that can be implemented at scale.

(iii) Provide professional development to teachers, administrators, and district level managers.

(iv) Have experience working in the target communities on related issues.

(v) Have documented success.

(vi) Have experience working with urban schools and families of school-aged children.

(vii) Be able to engage in research activities.

(viii) Have experience with building and working in community-based collaboratives with related agencies."

AMENDMENT NO. 8

On page 3, line 12, change "(b)" to "(c)"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 724—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 32:1305(H), relative to motor vehicles; to provide for a safety inspection program for vehicles which transport forest products; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 744—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 32:386(D) and 387(C)(2) and (3)(a) and (b), and to enact R.S. 32:386(L), relative to motor carriers; to provide for weight limits on vehicles transporting forest products; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 744 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:386(D) and" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 32:386(D)" delete "and 387(C)(2) and (3)(a) and (b) are" and insert "is"

AMENDMENT NO. 3

On page 2, at the end of line 8, change "ninety-" to "eighty-"

AMENDMENT NO. 4

On page 2, line 9, after "pounds" and before the period "." insert "regardless of the total gross weight of any tandem axle or tandem steering axle"

AMENDMENT NO. 5

On page 2, delete lines 10 through 27, and on page 3, delete lines 1 through 27, and on page 4, delete lines 1 through 5

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 836—

BY SENATOR MCPHERSON
AN ACT

To enact Subpart F of Part I of Subpart 6 of Title 33 of the Revised Statutes of 1950, to be comprised of R.S. 33:2740.71 through 33:2740.87, relative to special districts; to authorize municipalities and parishes to create business improvement districts; to provide for definitions; to provide for the establishment of a business improvement development district; to provide for a board of commissioners; to provide for powers and duties of the board; to provide for the issuance of bonds; to provide for assessments upon a vote of the electors of the district; to provide for fees and charges; to provide for termination of the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 840—

BY SENATOR JOHNSON
AN ACT

To enact R.S. 9:1123.115.1, relative to condominiums; to provide for the collection utilities by local governmental entities; to authorize certain sales involving abandoned units; to authorize certain donations of abandoned or blighted property units by municipalities or parishes; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 840 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 3, between "collection" and "utilities" insert "of"

AMENDMENT NO. 2

On page 1, line 13, between "association" and "shall" insert ", provided that the association is in good faith regarding the management of the condominium property,"

AMENDMENT NO. 3

On page 2, line 24, between "33:4720.26" and the comma "," insert "(1)"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 862—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 17:6(A)(15), 45(A), 442, 443, 462, 471, 492, 493(A), (B), and (C), 522, 523, and 532(B), and 533 and to enact R.S. 17:6(A)(16), 7(26), and 81(A)(3), relative to tenure for public elementary and secondary school employees; to provide relative to the causes for terminating certain permanent school employees in public elementary and secondary schools; to provide relative to the process used in tenure decisions and hearings; to authorize city, parish, and other local school boards and the state board to grant newly employed teachers tenure without a probationary period under certain circumstances; to provide for the establishment of a panel of administrative law judges; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 862 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 27, after "Provide" delete ", by rule," and after "for" insert "any training needed for"

AMENDMENT NO. 2

On page 3, line 1, delete "be available to" and insert "conduct and rule on any hearing in"

AMENDMENT NO. 3

On page 3, line 2, after "or school" delete the remainder of the line

AMENDMENT NO. 4

On page 3, line 4, after "tenure" insert "pursuant to Part A of Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1008—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:2451(A)(8), relative to the civil service system and personnel administration in Rapides Parish; to extend the rules of the civil service system to certain federal program director positions; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1008 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact" to "enact" and change "(8)" to "(13) and (14)"

AMENDMENT NO. 2

On page 1, line 3, change "extend the rules of" to "exempt"

AMENDMENT NO. 3

On page 1, line 4, change "the civil service system to certain federal" to "certain"

AMENDMENT NO. 4

On page 1, at the end of line 4, between "positions" and the semi-colon ";," insert "from the civil service system"

AMENDMENT NO. 5

On page 1, line 8, change "(8) is hereby amended and reenacted" to "(13) and (14) are hereby enacted"

AMENDMENT NO. 6

On page 2, delete lines 3, 4, and 5 and insert the following:

"R.S. 33:2451(A)(13) is all proposed new law.

(13) The Workforce Investment Act Operations Director.

R.S. 33:2451(A)(14) is all proposed new law.

(14) The Courthouse and Jail Building Superintendent."

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1012—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 33:4547.1, 4547.2, and 4547.3 and to enact R.S. 33:4547.4, relative to public contracts; to provide for award of performance based energy efficiency contracts through the request for proposal process; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1012 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, after "4547.2" delete the remainder of the line and on line 3, delete "33:4547.4" and insert "and to repeal R.S. 33:4547.3"

AMENDMENT NO. 2

On page 1, line 7, change "4547.2, and 4547.3" to "and 4547.2"

AMENDMENT NO. 3

On page 1, delete line 8 in its entirety and insert "reenacted to read as follows:"

AMENDMENT NO. 4

On page 1, line 10, delete "A."

AMENDMENT NO. 5

On page 1, line 11, after "equipment" insert "and may utilize actual savings derived therefrom" and after "Such" delete "a"

AMENDMENT NO. 6

On page 1, delete line 12 in its entirety and insert "contracts shall be exempt"

AMENDMENT NO. 7

On page 1, line 13, after "R.S. 38:2212" delete the remainder of the line

AMENDMENT NO. 8

On page 1, delete line 14 in its entirety, and insert "and may use the rules and regulations promulgated by the office of facility planning and control as a guideline, provided that when state funds are involved, such contracts shall be subject to the rules and regulations promulgated by the office of facility planning and control. Additionally, the political subdivision shall not be required to obtain the review and approval of the division of administration, office of facility planning and control in order to enter into performance based

energy efficiency contracts. Any such rules promulgated as they relate to performance based energy efficient contracts by political subdivisions shall additionally be subject to legislative oversight by the Senate Committee on Local and Municipal Affairs and the House Committee on Municipal, Parochial and Cultural Affairs. The rules shall be adopted by December 31, 2003."

AMENDMENT NO. 9

On page 1, delete line 15 in its entirety and insert in lieu thereof the following:

~~B. For the purposes of this Chapter, a performance-based energy efficiency contract shall be defined as a contract for energy efficiency services and equipment in which the payment obligation for each year of the contract is either:~~

~~(1) Set as a percentage of the annual energy cost savings attributable to the services or equipment under the contract; or~~

~~(2) Guaranteed by the person under contract to be less than the annual energy cost savings attributable to the services or equipment under the contract.~~

AMENDMENT NO. 10

On page 2, delete lines 1 through 27 in their entirety

AMENDMENT NO. 11

On page 3, delete lines 1 through 7

AMENDMENT NO. 12

On page 3, line 9, delete "A."

AMENDMENT NO. 13

On page 3, line 13, change "first" to "last"

AMENDMENT NO. 14

On page 3, line 16, change "forty-two" to "sixty"

AMENDMENT NO. 15

On page 3, delete lines 18 through 27 in their entirety and insert in lieu thereof the following:

~~B. The request for proposals shall indicate the relative importance of price and other evaluation factors and shall clearly define the criteria to be used in evaluating the proposals and the time frames within which the work must be completed.~~

~~C. Award shall be made to the responsible offerer whose proposal is determined by the using agency of the governing body of the political subdivision to be the most advantageous, taking into consideration price and the evaluation factors set forth in the request for proposals.~~

~~D. Written or oral discussions shall be conducted with all responsible offerers who submit proposals determined to be reasonably susceptible of being selected for award. Discussions need not be conducted:~~

~~(1) With respect to prices, where such prices are fixed by law or regulation, except that consideration shall be given to competitive terms and conditions; or~~

~~(2) Where time of delivery or performance will not permit discussions; or~~

~~(3) Where it can be clearly demonstrated and documented from the existence of adequate competition or accurate prior cost experience with that particular service that acceptance of an initial offer without discussion would result in fair and reasonable prices, and the request for proposals notifies all offerers of the possibility that the award may be made on the basis of the initial offers.~~

~~E. A request for proposals or other solicitation may be cancelled or all proposals may be rejected if it is determined that such action is taken in the best interest of the political subdivision.~~

Section 2. R.S. 33:4547.3 is hereby repealed in its entirety."

AMENDMENT NO. 16

On page 4, delete lines 1 through 27 in their entirety

AMENDMENT NO. 17

On page 5, delete lines 1 through 27 in their entirety

AMENDMENT NO. 18

On page 6, delete lines 1 through 27 in their entirety

AMENDMENT NO. 19

On page 7, delete lines 1 through 17 in their entirety

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1036—

BY SENATOR C. JONES

AN ACT

To enact R.S. 17:1383 through 1385, relative to school districts; to establish a Priority Education Zone; to provide for enrollment of school systems and enlistment of resource providers; to provide for the administration and operation of the Priority Education Zone; to provide relative to the Minimum Foundation Program; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 1036 by Senator C. Jones

AMENDMENT NO. 1

On page 3, line 13, after "A." change "The" to "Out of funds available, the"

AMENDMENT NO. 2

On page 4, line 10, after "Education" change "shall" to "may"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 1120—

BY SENATOR MICHOT

AN ACT

To enact Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2846; relative to durable medical equipment; to enact the Durable Medical Equipment Licensure Law; to provide for definitions; to provide for licensing of durable medical equipment; to provide for penalties and enforcement; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 1120 by Senator Michot

AMENDMENT NO. 1

On page 1, line 3 delete "2846" and insert "2848" and after "relative to" delete "durable medical" and insert "customized wheelchairs (manual or power), standing frames, gait trainers, and other adaptive positioning devices;"

AMENDMENT NO. 2

On page 1, delete line 4 and insert "to enact the Customized Wheelchair and Adaptive Positioning Devices Certification Law; to"

AMENDMENT NO. 3

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On page 1, line 5 delete "licensing of durable medical" and insert "certification of customized wheelchairs and adaptive positioning devices providers;"

AMENDMENT NO. 4

On page 1, line 6 delete "equipment;"

AMENDMENT NO. 5

On page 1, line 10, delete "2846" and insert "2848"

AMENDMENT NO. 6

On page 1, line 12 delete "DURABLE MEDICAL" and insert "CUSTOMIZED WHEELCHAIR AND ADAPTIVE POSITIONING DEVICES"

AMENDMENT NO. 7

On page 1, line 13 delete "EQUIPMENT LICENSURE" and insert "CERTIFICATION"

AMENDMENT NO. 8

On page 1, line 15 delete "Durable Medical Equipment Licensure" and insert "Customized Wheelchair and Adaptive Positioning Devices Certification"

AMENDMENT NO. 9

On page 2, delete lines 2 and 3 and insert "This Chapter may be cited as the Customized Wheelchair and Adaptive Positioning Devices Certification Law".

AMENDMENT NO. 10

On page 2, delete lines 9 and 10 and insert "(1) 'Recipient' means an individual who is eligible for and enrolled in the Louisiana Medicaid Program."

AMENDMENT NO. 11

On page 2 delete lines 18 through 21 and insert "(3) 'Customized Wheelchair and Adaptive Positioning Devices Certification' means any customized wheelchair, whether manual or power, standing frames, gait trainers, and other adaptive positioning devices that are prescribed by a patient's treating physician in this state."

AMENDMENT NO. 12

On page 2, line 22 delete "Supplier" and insert "Provider" and after "entity" delete the remainder of the line and insert "enrolled in the Louisiana Medicaid Program that supplies customized wheelchairs or other adaptive positioning devices prescribed by a physician directly to the recipient, in accordance with rules and regulations promulgated by the Department of Health and Hospitals."

AMENDMENT NO. 13

On page 2, delete lines 23 and 24

AMENDMENT NO. 14

On page 2, line 25 delete "Licensing" and insert "Certifying"

AMENDMENT NO. 15

On page 2, line 27 delete "licensing" and insert "certification"

AMENDMENT NO. 16

On page 3, delete lines 2 through 4

AMENDMENT NO. 17

On page 3, line 5 delete "(8)" and insert "(7)" and delete "supplier" and insert "provider" and on line 6 delete "supplier" and insert "provider" and on line 8 delete "supplier" and insert "provider"

AMENDMENT NO. 18

On page 3, delete lines 9 and 10 and insert "(8) 'Supply' means the distribution of customized wheelchairs and adaptive positioning devices to a recipient by a provider."

AMENDMENT NO. 19

On page 3, line 11 delete "(10)" and insert "(9)" and delete "supplier" and insert "provider"

AMENDMENT NO. 20

On page 3, line 12 delete "supplier" and insert "provider" and delete "consumer" and insert "recipient"

AMENDMENT NO. 21

On page 3, between lines 17 and 18, insert "(12) 'Assistive Technology Supplier (ATS)' means a person credentialed by the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) to conduct all evaluations for customized wheelchairs or other adaptive positioning devices in cooperation with the physical or occupational therapist who is working with the recipient."

AMENDMENT NO. 22

On page 3, line 18 delete "supplier" and insert "provider"

AMENDMENT NO. 23

On page 3, line 20 delete "supplier" and insert "provider"

AMENDMENT NO. 24

On page 3, line 22 delete "supplier's" and insert "provider's"

AMENDMENT NO. 25

On page 4, line 1 delete "supplier" and insert "provider"

AMENDMENT NO. 26

On page 4, delete line 2 and insert "\$2844. Certification of providers of customized wheelchairs or other adaptive positioning devices

AMENDMENT NO. 27

On page 4, line 4 delete "license" and insert "certification"

AMENDMENT NO. 28

On page 4, delete lines 5 through 7 and insert "provider of customized wheelchairs or other adaptive positioning devices shall be submitted to the certifying agency by the provider on the form furnished by the certifying agency."

AMENDMENT NO. 29

On page 4, delete lines 8 through 13 and insert "B. If a customized wheelchairs or other adaptive positioning devices provider sells, leases, or otherwise provides customized wheelchairs or other adaptive positioning devices at more than one location it shall obtain certification for each location where customized wheelchairs or other adaptive positioning devices are sold, leased, or otherwise furnished. C. The certifying agency shall not issue a certification to conduct business as a customized wheelchairs or other adaptive positioning devices provider to:"

AMENDMENT NO. 30

On page 4, delete lines 19 through 21 and insert "D. A customized wheelchairs or other adaptive positioning devices provider shall:

(1) Deliver all customized wheelchairs or other adaptive positioning devices to each recipient by a full time employee that:"

AMENDMENT NO. 31

On page 4, delete lines 23 through 25 and insert "(b) Instructs recipients concerning the use, setup, and maintenance of the customized wheelchairs or other adaptive positioning devices sold, leased or otherwise furnished by the provider."

AMENDMENT NO. 32

On page 4, line 26 delete "medical products sold, leased, or otherwise provided by the supplier" and insert "customized wheelchairs or other adaptive positioning devices furnished"

AMENDMENT NO. 33

On page 5, line 1, delete "customer or beneficiary" and insert "recipient"

AMENDMENT NO. 34

On page 5, line 5, after "equipment" delete the remainder of the line and delete line 6 and insert "supplied by the provider."

AMENDMENT NO. 35

On page 5, line 7, delete "customers" and insert "Louisiana." and delete line 8

AMENDMENT NO. 36

On page 5, delete line 9 and insert "(4) The provider of customized wheelchairs or other adaptive positioning devices shall."

AMENDMENT NO. 37

On page 5, line 12, delete "power" and delete line 13 and insert "customized wheelchairs or other adaptive positioning devices supplied by the provider."

AMENDMENT NO. 38

On page 5, line 15, after "on all" delete the remainder of the line and delete line 16 and insert "customized wheelchairs or other adaptive positioning devices supplied by the provider."

AMENDMENT NO. 39

On page 5, line 24, after "When" delete the remainder of the line and insert "supplying customized wheelchairs or other adaptive positioning devices," and on line 25 delete "supplier" and insert "provider" and delete "consumer" and insert "recipient"

AMENDMENT NO. 40

On page 6, line 1, delete "power mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 41

On page 6, line 3, delete "power mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 42

On page 6, line 5, delete "power mobility equipment supplier" and insert "customized wheelchairs or other adaptive positioning devices provider"

AMENDMENT NO. 43

On page 6, line 6, delete "power mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 44

On page 6, line 9, delete "power" and on line 10, delete "mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 45

On page 6, line 11, delete "consumer" and insert "recipient"

AMENDMENT NO. 46

On page 6, line 12, delete "power mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 47

On page 6, line 14, delete "power mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 48

On page 6, line 15, delete "power" and on line 16, delete "mobility equipment supplier" and insert "customized wheelchairs or other adaptive positioning devices provider"

AMENDMENT NO. 49

On page 6, line 20, delete "Suppliers" and insert "Providers" and after "the state" insert "of Louisiana"

AMENDMENT NO. 50

On page 6, line 21, after "with the" delete the remainder of the line and delete line 22 and insert "certification procedures provided in the rules and regulations adopted by the licensing agency in accordance with the Administrative Procedure Act."

AMENDMENT NO. 51

On page 6, line 23, delete "Suppliers" and insert "Providers"

AMENDMENT NO. 52

On page 6, line 24, delete "businesses" and insert "Medicaid certification"

AMENDMENT NO. 53

On page 6, line 27, delete "license" and insert "certificate"

AMENDMENT NO. 54

On page 7, line 13, delete "license" and insert "certificate"

AMENDMENT NO. 55

On page 7, line 15, delete "license" and insert "certificate"

AMENDMENT NO. 56

On page 7, line 16, delete "license" and insert "certificate"

AMENDMENT NO. 57

On page 7, line 21, delete "license" and insert "certificate" and delete "power mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 58

On page 7, line 22, delete "supplier" and insert "provider"

AMENDMENT NO. 59

On page 7, line 23, delete "power mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 60

On page 7, line 24, delete "supplier" and insert "provider"

AMENDMENT NO. 61

On page 7, line 26, delete "license" and insert "certificate"

AMENDMENT NO. 62

On page 8, line 12, delete "power mobility equipment" and insert "customized wheelchairs or other adaptive positioning devices"

AMENDMENT NO. 63

On page 8, delete lines 16 and 17 and insert "Medicaid program established under Title XIX of the Social Security Act, 42 U.S.C.A. 1396 et seq., as amended, relating to"

AMENDMENT NO. 64

On page 8, delete line 19 and insert "Medicaid providers."

AMENDMENT NO. 65

On page 8, line 20, delete "license" and insert "certificate"

AMENDMENT NO. 66

On page 8, line 22, delete "license" and insert "certificate"

AMENDMENT NO. 67

On page 8, line 23, delete "license" and insert "certificate"

AMENDMENT NO. 68

On page 8, line 25, delete "license" and insert "certificate"

AMENDMENT NO. 69

On page 8, line 26, after "guilty by a" delete "license" and insert "certificate" and after "employee of a" delete "license" and insert "certificate"

AMENDMENT NO. 70

On page 9, line 1, after "related to the" delete the remainder of the line and insert "supply of customized wheelchairs or other adaptive positioning devices."

AMENDMENT NO. 71

On page 9, delete line 2

AMENDMENT NO. 72

On page 9, after line 3, insert the following:
" §2847. Rules; regulations; certification procedures

R.S. 40:2847 is all proposed new law.

The certification agency shall promulgate and publish rules, regulations, and certification procedures to provide for the implementation of the Customized Wheelchair and Adaptive Positioning Devices Certification Law in accordance with the Administrative Procedure Act.

§2848. Federal approval

R.S. 40:2848 is all proposed new law.

Implementation of the Customized Wheelchair and Adaptive Positioning Devices Certification Law shall be contingent upon approval by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services."

On motion of Senator Schedler, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

Senate Bills and Joint Resolutions on Second Reading

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108)—

BY SENATORS HINES AND FIELDS
AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Elderly Medication Program; to provide definitions; to create the Louisiana Elderly Medication Program; to provide for eligibility; to provide for the responsibilities of the office of elderly affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and ordered engrossed and passed to a third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 83—

BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 33:9055.1, relative to the DeSoto Parish Ambulance Service District; to provide for an increase in the membership of the board of commissioners of the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 129—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 17:270(A) and 271(A)(2) and (B) and R.S. 32:402.1(A)(1) and (2)(introductory paragraph) and 402.2 and to enact R.S. 32:402.1(A)(3), relative to driver education and training; to require instruction relative to organ and tissue donation during driver education, training, improvement, and remediation programs; to provide relative to an exemption to such instruction under certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 131—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 56:10(B)(1)(b) and 578.12(B), relative to shrimp fishing; to limit use of funds in the Shrimp Marketing and Promotion Account; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 174—

BY REPRESENTATIVE DOERGE
AN ACT

To enact Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.203, to create and provide for the Webster Parish Watershed District; to provide for the boundaries and purposes of the district; to create and provide for a board of commissioners of the district; to provide for the powers and duties of the board; to authorize the board to promulgate rules and regulations and to provide for the enforcement thereof; to provide for violations and penalties; to provide relative to the powers and duties of the Department of Transportation and Development with respect to the district; to provide for the regulation of commercial establishments and to provide relative to licensing of such establishments and fees to be imposed thereon; to provide for creation and construction of playgrounds and recreational facilities; to provide relative to mineral leases; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 200—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i), relative to derelict structures; to authorize the governing authority of the parish of Bossier to compel or require property owners to repair or demolish such structures and to charge the property owners therefor; to provide for the collection of such charges and enforcement thereof; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 206—

BY REPRESENTATIVES MONTGOMERY, L. JACKSON, AND JANE SMITH

AN ACT

To amend and reenact R.S. 19:121, relative to expropriation of property by a declaration of taking by the cities of Bossier City and Shreveport; to redefine property subject to such expropriation; to direct the Louisiana State Law Institute to appropriately rename the Part heading; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 250—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 56:639.8(E), relative to the Artificial Reef Development Fund; to include evaluation of the program in the authorized uses of the fund; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 271—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 56:649.3, relative to hunting and fishing licenses; to expand the privileges accorded under the combination lifetime hunting and sports fishing license; to provide for recreational fishing gear licenses; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 282—

BY REPRESENTATIVES DEWITT AND MURRAY

A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(C)(1)(f) and (g) of the Constitution of Louisiana and to repeal Article XII, Section 8.1(C)(1)(h), relative to the Louisiana Workers' Compensation Corporation; to provide for appointment of members to the board of directors; to remove provision for the appointment of a representative from the state office of risk management; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 306—

BY REPRESENTATIVES DEWITT AND MURRAY

AN ACT

To amend and reenact R.S. 23:1398(A)(4) and (5) and (D) and to repeal R.S. 23:1398(A)(6), relative to Louisiana Workers' Compensation Corporation; to provide for the appointment of members to the board of directors; to provide for the submission of nominees for the board of directors; to repeal the provision that allows for the appointment of a representative from the office of risk management; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 366—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 25:217.1, relative to certain DeSoto Parish library funds; to prohibit diversion of such funds; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 405—

BY REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact Sections 4 and 5 of Act No. 573 of the 1975 Regular Session of the Legislature, as amended by Act No. 554 of the 1978 Regular Session of the Legislature, Act No. 411 of the 1980 Regular Session of the Legislature, and Act No. 163 of the 1984 Regular Session of the Legislature, relative to the Downtown Development District of the city of Shreveport; to provide with respect to the responsibility of the Downtown Development Authority to encourage and aid in the preservation, revitalization, and beautification of property within the Downtown Development District; to provide with respect to the authority to provide financial assistance for such preservation, revitalization, and beautification; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 422—

BY REPRESENTATIVES PEYCHAUD AND MURRAY

AN ACT

To amend and reenact Section 8.1(D)(2) of Act No. 170 of the 1968 Regular Session, as enacted by Act No. 155 of the 1984 Regular Session and amended by Act No. 101 of the 1997 Regular Session, relative to the New Orleans Redevelopment Authority; to provide relative to the proper address for notifying the property owner prior to a determination that the property is blighted and subject to acquisition by the authority; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 450—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 32:418, relative to the office of motor vehicles; to provide for registration of certain persons with the United States Selective Service when applying for a driver's license, permit, or identification card; to provide for registration of other persons upon reaching eighteen years; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 450 by Representative Downer

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:418" insert "and R.S. 40:1321(D)(1)"

AMENDMENT NO. 2

On page 3, between lines 5 and 6, insert the following:

"Section 2. R.S. 40:1321(D)(1) is hereby amended and reenacted to read as follows:

§1321. Special identification cards; issuance; fees; expiration and renewal; promulgation of rules; promotion of use; persons less than twenty-one years of age; the Protect and Save our Children Program; Selective Service Registration * * *

D.(1)(a) Each special identification card issued to a person under the age of sixteen shall expire every two years for the three-dollar identification card and every four years for the five-dollar identification card and may be renewed only by personal appearance. Each special identification card for a person sixteen years of age or older shall expire every four years but may be renewed. The OMV may issue the special identification for a period of less than four years in circumstances of medical, legal presence, or other special restriction. Where the OMV issues a special identification card to a properly documented alien student or a nonresident alien, the special identification card shall both:

(a) (i) Expire on the date for which the alien's immigration documents expire or four years after issuance, whichever is sooner.

(b) (ii) Contain a restriction code which declares that the special identification card holder is an alien student or a nonresident alien.

(b)(i) Any United States male citizen or immigrant who is fifteen years of age, but less than eighteen years of age, shall provide personal information, including a social security number, if available, to the office of motor vehicles when applying to receive or renew a special identification card for the purpose of registration with the Selective Service. Upon the applicant attaining the age of eighteen years of age, the applicant shall automatically be registered with the Selective Service. The office of motor vehicles shall forward to the Selective Service System, in an electronic format, the necessary personal information required for registration with the Selective Service after receiving the application to issue or renew a special identification card. The application for issuance or renewal of a special identification card shall include all information required according to the provisions of R.S. 32:418.

(ii) The office of motor vehicles shall not issue or renew any special identification card to any person who refuses to provide personal information for registration with the Selective Service."

AMENDMENT NO. 3

On page 3, at the beginning of line 6, change "Section 2." to "Section 3."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 454—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:578.10 and 578.11, relative to catfish packaging; to prohibit the possession or exchange of certain mislabeled catfish; to provide for prohibitions on the possession or exchange of certain species of catfish; to provide relative to inspection of catfish packaging facilities; to provide for penalties for violations; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 536—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 32:295.3, relative to the Highway Regulatory Act; to provide for seat belt and motor vehicle liability security checkpoints; to require all law enforcement agencies involved in traffic enforcement to establish guidelines for seat belt and motor vehicle liability security checkpoints; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 544—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 49:213.9, relative to coastal zone management; to prohibit certain activities on dunes located in the coastal zone; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 544 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 8, delete "specifically permitted" and insert in lieu thereof the following: "operating under a permit issued"

On motion of Senator Romero, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 554—

BY REPRESENTATIVES DEVILLIER AND PIERRE
AN ACT

To amend and reenact R.S. 56:8(84), 305(G), 323(A), and 491(1) and to enact R.S. 56:305(B)(17) and 501, relative to commercial shrimping; to authorize commercial taking of freshwater shrimp in certain waters; to provide relative to nets and other conditions on such taking; to provide for a gear license and the fee therefor; to provide penalties for violations; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 555—

BY REPRESENTATIVES KENNEY AND PIERRE
AN ACT

To amend and reenact R.S. 56:327(A)(1)(b)(i), relative to the sale of bass fingerlings; to authorize the sale of longer fingerlings of certain bass species; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 556—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:499(C), relative to fishing nets; to prohibit the use of certain devices with skimmer nets; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 560—
BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To enact R.S. 34:851.36, relative to boating; to require boating safety courses for persons operating certain motorboats; to provide penalties for violations; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 560 by Representative Jack Smith

AMENDMENT NO. 1
On page 1, line 8, delete "No" and insert "Except as provided in Subsection B of this Section, no"

AMENDMENT NO. 2
On page 1, between lines 14 and 15, insert the following:
"B. A motorboat may be operated if any person on board or participating in any boating activity from the motorboat is over the age of eighteen and, if required to have completed a boating safety course under the provisions of Subsection A of this Section, has completed the required boating safety course."

AMENDMENT NO. 3
On page 1, line 15, change "B." to "C."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 561—
BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To amend and reenact R.S. 56:302.3(B)(5) and 500(A), relative to recreational gear licenses; to provide for the use of a larger trawl on a recreational gear license; to provide relative to the gear fee required for a larger trawl; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 562—
BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To repeal R.S. 34:851.8 and 851.31(B), relative to the operation of a motorboat; to repeal a prohibition on operation of a motorboat while intoxicated; and to repeal certain penalty provisions.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 563—
BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To amend and reenact R.S. 56:302.10, relative to recreational fishing; to provide relative to penalties for the sale of recreational catches; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 616—
BY REPRESENTATIVE FAUCHEUX (BY REQUEST)
AN ACT

To enact R.S. 17:81(O), to require that expenditures by city, parish, and other local school boards to reimburse school board members for certain travel and related expenses be in accordance with travel regulations prescribed by the division of administration for state executive branch employees; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 616 by Representative Fauchaux

AMENDMENT NO. 1
On page 2, line 1, change "be" to "not exceed those permitted"

On motion of Senator Theunissen, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 712—
BY REPRESENTATIVES HAMMETT, KENNEY, AND THOMPSON
AN ACT

To enact Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.207, relative to Lake St. Joseph in Tensas Parish; to create the Lake St. Joseph Recreation and Water Conservation District; to create and provide for a board of commissioners of such district; to provide for the powers and duties of the district and the board; to authorize the board to levy taxes and parcel fees, issue bonds, and incur debt; to authorize the board to promulgate rules and regulations to accomplish the purposes of the district and to provide for the enforcement thereof; to provide for violations and penalties; to provide relative to the powers and duties of the Department of Transportation and Development with respect to the district; to provide for the regulation of commercial establishments; to provide for creation and construction of playgrounds and recreational facilities; to provide relative to mineral leases; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 750—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 17:239, to prohibit the use or operation of any electronic telecommunication device by a student in any public elementary and secondary school or on the grounds thereof or in any school bus used to transport public school students; to provide exceptions; to provide relative to penalties; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 750 by Representative Cazayoux

AMENDMENT NO. 1

On page 2, between lines 18 and 19, insert the following: "D. Nothing in this Section shall prohibit the use and operation by any person, including students, of any electronic telecommunication device described in Subsection A of this Section in the event of an emergency. Emergency means an actual or imminent threat to public health or safety which may result in loss of life, injury, or property damage."

On motion of Senator Theunissen, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 900—

BY REPRESENTATIVES GARY SMITH AND PIERRE
AN ACT

To amend and reenact R.S. 56:8(116) and 322(E)(4) and to enact R.S. 56:305(B)(4)(f) and 322.1, relative to commercial fishing; to provide for the commercial harvest of shad and skipjack herring with a shad gill net in certain waters; to provide for restrictions and penalties; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. by 900 Representatives Gary Smith and Pierre

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 56:8" and before "(116)" insert "(38) and"

AMENDMENT NO. 2

On page 1, line 3, after "fishing;" insert "to provide relative to the definition of the word fish;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 56:8" and before "(116)" insert "(38) and"

AMENDMENT NO. 4

On page 1, below line 15, add the following: "(38) 'Fish' (noun) means all finfish, shellfish, and crustaceans, and all other species of aquatic life."

* * *

On motion of Senator Romero, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 901—

BY REPRESENTATIVES DEVILLIER AND PIERRE
AN ACT

To amend and reenact R.S. 56:8(116), 305(B)(16), and 322(E)(2) and to enact R.S. 56:305(B)(17) and 322.1, relative to commercial fishing; to provide for the commercial harvest of shad and skipjack herring with a shad seine; to provide for restrictions and penalties; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 988—

BY REPRESENTATIVES LEBLANC, PITRE, AND QUEZAIRE AND
SENATOR MICHOT

AN ACT

To enact R.S. 40:1742.2, relative to mobility-impaired parking; to authorize parish governing authorities to grant variances in the times during which parking spaces are reserved at certain facilities; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1122—

BY REPRESENTATIVES QUEZAIRE AND CAZAYOUX
AN ACT

To amend and reenact R.S. 2:653(A) and 654(B)(introductory paragraph), (1), and (9), (H)(introductory paragraph) and (2), and (J) and to enact R.S. 2:654(B)(14), (15), and (16) and (H)(4) through (8), relative to the Louisiana Airport Authority; to provide relative to the territorial boundaries of such authority; to increase the number of members of the board of commissioners; to provide relative to the term of office for such members; to provide relative to the quorum for the board of commissioners; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1154—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:387.7, relative to special permits; to provide relative to special permits for trucks hauling sugarcane; to provide relative to violations of the authorized weight limit; to provide relative to an appeal process for violations; to prohibit the issuance of special permits to certain trucks beginning August 1, 2008; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1207—

BY REPRESENTATIVE PITRE
AN ACT

To enact R.S. 33:31, relative to local governmental subdivisions; to provide for state preemption relative to regulation of cellular telephone or other electronic communications device usage in motor vehicles; to prohibit local governmental subdivisions from enacting ordinances or other provisions regulating the use of cellular telephones or other electronic communications devices in motor vehicles; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1296—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 47:296.2 and R.S. 56:647(C), relative to the suspension or denial of recreational hunting and fishing licenses; to provide for the suspension, revocation, or denial of the issuance of certain licenses for failure to pay the individual income tax; to

provide for promulgation of rules; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 1296 Representative Triche

AMENDMENT NO. 1

On page 1, line 3, delete "recreational"

AMENDMENT NO. 2

On page 1, line 16, change "two" to "five"

On motion of Senator Romero, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1309—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 17:3991(A)(1), relative to charter schools; to prohibit a charter school from employing the members of the governing or management board of such school; to provide certain limitations relative to family members serving on a charter school governing or management board; to provide for compliance; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1309 by Representative R. Carter

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:3991(A)(1)" and before the comma insert "and 3999, and to enact R.S. 17:3996(B)(20)"

AMENDMENT NO. 2

On page 1, line 6, after "compliance" and before the semicolon insert "with the code of governmental ethics; to provide for exceptions; to provide for applicability of charter school law"

AMENDMENT NO. 3

On page 1, line 9, change "is" to "and 3999 are" and after "reenacted" insert ", and R.S. 17:3996(B)(20) is hereby enacted"

AMENDMENT NO. 4

On page 2, line 5, after "(c)" insert "(i)"

AMENDMENT NO. 5

On page 2, line 7, after "school" insert a period "." and begin a new paragraph and change "and not" to "(ii) Not"

AMENDMENT NO. 6

On page 2, line 12, after "related." begin a new paragraph and insert "(iii)"

AMENDMENT NO. 7

On page 2, after line 15, insert as follows:
"§3996. Charter schools; exemptions
* * *

B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved

charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

* * *

(20) Code of Governmental Ethics, R.S. 42:1101 et seq., with the exception of R.S. 42:1119 as it applies to any person employed by a charter school prior to August 15, 2003.

* * *

§3999. Application of Chapter

~~Each All~~ charter schools shall be governed in its entirety by the law in effect at the time the charter was entered into, except as such charter is subsequently amended to provide otherwise as the result of the agreement of both parties to such charter amendment. If the charter is amended to make applicable any new charter school law provisions, then all such provisions shall apply to the charter school. ~~The chartering authority shall approve the request of a charter school to amend their charter agreement to allow the school to begin operating under the most recently enacted law provisions on August 15, 2003. Thereafter, if the provisions of this Chapter are amended, all charter schools shall comply with the law as amended within ninety days of its effective date."~~

On motion of Senator Theunissen, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1346—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 33:461(A)(4), relative to the assessment and collection of municipal taxes; to provide that municipal property taxes in the city of Westwego shall be due and payable on March thirty-first of each year; to provide for their collection; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1470—

BY REPRESENTATIVES SALTER, NEVERS, AND WALSWORTH
AN ACT

To amend and reenact R.S. 17:3129.1(A) and to enact R.S. 17:3351(D), relative to the articulation of courses among and recognition of course credit by state public colleges and universities; to provide for certain written reports by the Board of Regents; to provide relative to the duties and responsibilities of public postsecondary management boards; to require that students and prospective students at any state public college and university receive certain information relative to course offerings at the institution; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1554—

BY REPRESENTATIVES MURRAY, DEWITT, AND TUCKER
AN ACT

To amend and reenact R.S. 23:1514(A)(1), (B), and (C), 1553(B)(7)(a) (introductory paragraph), (8), (9)(a) (introductory paragraph), (10), and (11)(a) (introductory paragraph) and to repeal R.S. 23:1474(J), relative to the workforce development training account; to provide for individual, standardized training of incumbent workers; to provide for eligibility requirements for businesses; to establish procedure for requests for training and reimbursements; to provide to selection of training provider; to

allow the use of funds to cover unemployment insurance functions; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Reengrossed House Bill No. 1554 by Representatives Murray, Dewitt, and Tucker

AMENDMENT NO. 1

On page 1, line 3, after "(introductory paragraph)," delete "(8)," and "(10)."

AMENDMENT NO. 2

On page 1, line 4, after "(J)," insert "1535(D) and (E)."

AMENDMENT NO. 3

On page 1, line 10, after "functions;" insert "to repeal new employer first experience rates;"

AMENDMENT NO. 4

On page 1, line 13, after "(introductory paragraph)," delete "(8)."

AMENDMENT NO. 5

On page 1, line 14, delete "(10)."

AMENDMENT NO. 6

On page 2, line 15, after "than" delete "two" and insert "three"

AMENDMENT NO. 7

On page 3, line 15, before "workers" insert "incumbent"

AMENDMENT NO. 8

On page 5, delete lines 8 through 15

AMENDMENT NO. 9

On page 5, delete lines 23 through 26

AMENDMENT NO. 10

On page 6, delete lines 1 through 4

AMENDMENT NO. 11

On page 6, line 12, after "(J)" delete "is" and insert ", 1535 (D) and (E) are"

AMENDMENT NO. 12

On page 6, line 12, after "in" delete "its" and insert "their"

On motion of Senator C. Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1662—

BY REPRESENTATIVES K. CARTER AND PEYCHAUD
AN ACT

To enact R.S. 17:29, relative to school social workers; to require the employment of a full-time social worker in each city, parish, and other local public school identified as a failing school in certain parishes; to provide for definitions; to provide for applicability; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1662 by Representative K. Carter

AMENDMENT NO. 1

On page 2, at the end of line 3, delete "and"

AMENDMENT NO. 2

On page 2, delete lines 4 and 5 and on line 6, delete "hundred thirty thousand persons, all"

On motion of Senator Theunissen, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1728—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 56:1948.5(20), to enact R.S. 56:1948.5(58) through (62), and to repeal R.S. 56:1948.5(36), (39), (40), (42), (43), and (45), relative to Louisiana Byways designations; to provide for the inclusion of certain highways and section of highways in statutory provisions of the Louisiana Byways; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1747—

BY REPRESENTATIVES BROOME, M. JACKSON, AND WELCH
AN ACT

To enact R.S. 33:1236(21)(h), relative to the cutting of grass and obnoxious weeds in the parish of East Baton Rouge; to require the governing authority of the parish to provide additional notice to property owners who fail to cut such grass and weeds; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1793—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 47:463.2(A), relative to special personalized prestige license plates for motor vehicles; to increase the fee for issuance of certain special personalized prestige license plates; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1834—

BY REPRESENTATIVES SWILLING AND RICHMOND
AN ACT

To enact R.S. 47:463.111, 463.112, 463.113, and 463.114, relative to motor vehicles prestige license plates; to provide for the creation of a special prestige license plate for the Beacon Light Baptist Church; to provide for the creation of a special prestige license plate for the Greater St. Stephens Ministries; to provide for the creation of a special prestige license plate for the New Home Ministries; to provide for the creation of a special prestige license plate for the Camphor Memorial United Methodist Church; to provide for the issuance of such plates; to provide relative to the fees of such plates; to provide for the uses of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule

No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1841—

BY REPRESENTATIVE FANNIN

AN ACT

To amend and reenact R.S. 56:1685(C)(20), relative to Caney Creek Lake State Park; to rename the state park Jimmie Davis State Park; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1890—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 17:1966, relative to extracurricular activities; to permit students attending the Louisiana School for Math, Science, and the Arts to be eligible to participate in extracurricular activities at certain state-approved nonpublic schools; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1899—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:380(A) and to repeal R.S. 32:380(E), relative to the width of vehicles; to increase the width of certain vehicles allowed to travel on certain highways; to repeal provisions relative to reasonable access for vehicles or combinations of vehicles, in excess of certain widths, between the interstate system and other highways; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1903—

BY REPRESENTATIVE MCVEA

AN ACT

To enact R.S. 38:2212(A)(1)(d)(ii), relative to letting public contracts; to provide for an exception for certain construction projects undertaken by public entities; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 599 from the Committee on Judiciary A.

HOUSE BILL NO. 599—

BY REPRESENTATIVES JOHNS AND FRUGE

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and to enact R.S. 40:1299.41(A)(21), relative to medical malpractice; to provide for definitions; to provide for emergency medical services rendered in certain circumstances; and to provide for related matters.

On motion of Senator Michot, the bill which is a duplicate of Senate Bill No. 742, was read by title and lies over under the rules.

Motion to Recommit

Senator Dardenne asked for and obtained a suspension of the rules and recommitted House Bill No. 1614 from the Committee on Finance to the Committee on Revenue and Fiscal Affairs.

**Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 138—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:2016(A) and to enact R.S. 22:215.24, relative to health insurance; to provide for health insurance coverage for services rendered by registered nurse first assistants; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 138 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 3, after "shall" delete the remainder of the line and insert "not deny coverage of the perioperative registered nurse first assistant"

AMENDMENT NO. 2

On page 2, at the beginning of the line 4, delete "such coverage, all"

AMENDMENT NO. 3

On page 2, line 6, at the end of the line delete the period "." and insert the following: "if the insurer covers the same such perioperative RNFA services when they are rendered by an advanced practice registered nurse, a physician assistant, or a physician other than the operating surgeon."

AMENDMENT NO. 4

On page 2, between lines 13 and 14, add the following:

"C. As used in this Section:

(1) "Perioperative nursing" means a practice of nursing in which the nurse provides preoperative, intraoperative, and postoperative nursing care to surgical patients.

(2) "Recognized program" means a program that address all content of the core curriculum for registered nurse first assistant as established by the Association of Operating Room Nurses or its successor organization.

(3) "Registered nurse first assistant" or "RNFA" means a person who has met all of the following requirements:

(a) Is licensed as a registered nurse in accordance with state law.

(b) Is experienced in perioperative nursing.

(c) Has successfully completed a recognized program."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 138 by Senator Dardenne

AMENDMENT NO. 1

In House Committee Amendment No. 4 proposed by the House Committee on Insurance on line 18, following "that" and before "all" change "address" to "addresses"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Flavin to Engrossed Senate Bill No. 138 by Senator Dardenne

AMENDMENT NO. 1

On page 2, after line 25 add the following:

"Section 2. Should House Bill No. 1606 of the 2003 Regular Session become law, the provisions of that Act shall not apply to the provisions of Senate Bill No. 138 of the 2003 Regular Session, should it become law."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Flavin to Engrossed Senate Bill No. 138 by Senator Dardenne

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1, 2, and 3 of the amendments proposed by the House Committee on Insurance and adopted by the House of Representatives on May 19, 2003.

AMENDMENT NO. 2

On page 2, line 3, after "shall" delete the remainder of the line and delete lines 4 through 6 in their entirety and insert the following "not deny coverage of perioperative services rendered by a registered nurse first assistant if the insurer covers the same such first assistant perioperative services when they are rendered by an advanced practice nurse, a physician assistant, or a physician other than the operating surgeon. Payments to RNFA's for such services shall be subject to the same credentialing and contracting requirements that apply to other health care providers paid for such services."

AMENDMENT NO. 3

In Amendment No. 4 of the amendments proposed by the House Committee on Insurance and adopted by the House of Representatives on May 19, 2003, on page 1, line 15, after "Perioperative" delete the remainder of the line and at the beginning of line 16, delete "the nurse provides" and insert "services" means"

AMENDMENT NO. 4

In Amendment No. 4 of the amendments proposed by the House Committee on Insurance and adopted by the House of Representatives on May 19, 2003, on page 1, line 17, after "care" insert "provided"

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lambert
Adley	Fields	Lentini
Bajoie	Gautreaux	Malone
Barham	Hines	McPherson
Boissiere	Hollis	Michot
Cain	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bean	Heitmeier	Schedler
Ellington	Holden	Theunissen
Fontenot	Marionneaux	Thomas
Total—9		

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 364—

BY SENATORS THEUNISSEN AND MOUNT

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide relative to the duration of residency required for an independent and a dependent student; to provide relative to the eligibility of the dependent child of a member of the United States Armed Forces who is not and does not become a resident of the state, but who lives in the state under permanent change of station orders; to revise certain language; to revise certain citizenship requirements; to reinstate awards to certain students based on citizenship status; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Re-engrossed Senate Bill No. 364 by Senators Theunissen and Mount

AMENDMENT NO. 1

On page 3, line 8, after "(aa)" and before the comma ", " insert "of this Item"

AMENDMENT NO. 2

On page 3, line 16, after "(aa)" and before the comma ", " insert "of this Item"

Senator Theunissen moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bean	Heitmeier	Schedler
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Cravins
Total—6

Marionneaux

Thomas

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 459—

BY SENATORS CAIN, MCPHERSON, MOUNT, SCHEDLER AND THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide relative to the eligibility of the dependent child of a member of the United States armed forces who is not and does not become a resident of the state, but who lives in the state under permanent change of station orders; to revise certain language; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 459 by Senator Cain

AMENDMENT NO. 1

On page 2, line 26, after "than" and before "days" change "sixty" to "one hundred eighty"

AMENDMENT NO. 2

On page 3, delete lines 11 through 21 and insert in lieu thereof the following: "(bb) Notwithstanding the requirements of Subitem (aa) of this Item, a student who graduates from a public or approved nonpublic high school in Louisiana in the 2000-2001 school year or thereafter shall be deemed to meet the residency requirements of this Item if the student is a citizen of the United States and resides in this state for the period of his last two full years of high school culminating in graduation as certified by the high school and the student is the dependent child of a nonresident member of the United States armed forces who is residing in this state under permanent change of station orders but who does not claim Louisiana as his state of legal residence."

Senator Cain moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lambert
Adley	Fields	Lentini
Bajoie	Gautreaux	Malone
Barham	Hines	McPherson
Boissiere	Hollis	Michot
Cain	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bean
Ellington
Fontenot
Total—9

Heitmeier
Holden
Marionneaux

Schedler
Theunissen
Thomas

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 471—

BY SENATORS HOYT, THEUNISSEN, THOMAS, DARDENNE AND MOUNT AND REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 9:154(A)(15) and (C), R.S. 17:3092(1) and (12), 3096(C), 3098(B)(2), and 3129.4(C)(1), and R.S. 44:4.1(8), and to enact R.S. 9:154(A)(16), R.S. 17:3093(D)(1)(i), 3096(A)(1)(e) and (E)(3)(d), and 3098(B)(3), relative to the Student Tuition Assistance and Revenue Trust Program; to provide for administration of the program; to provide for certain education savings accounts to be presumed as abandoned property; to provide for and expand program participation; to provide for interest on accounts; to provide for refunds upon termination; to provide for the designation of beneficiaries; to exclude certain records pertaining to education savings accounts from the public records law; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 471 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 3, following "44:4.1" and before "(8)" insert "(B)"

AMENDMENT NO. 2

On page 2, line 9, change "five year" to "five-year"

Senator Hoyt moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Ullo
Dean	Jones, CD	
Dupre	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Bean
Ellington
Heitmeier
Total—8

Jones, B
Marionneaux
Schedler

Theunissen
Thomas

The Chair declared the amendments proposed by the House were concurred in. Senator Hoyt moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 581—
BY SENATOR LENTINI

AN ACT

To enact R.S. 22:1514.3, relative to liability insurance; to prohibit certain acts by bail bond producers; to provide for penalties for prohibited acts; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 581 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 4, at the end of the line delete the period "." and insert in lieu thereof the following: "or for representation at a bail bond hearing. Whenever a bail bond producer engages an attorney on behalf of a defendant, the bail bond producer shall obtain prior written consent from the defendant."

Senator Lentini moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Jones, CD
Adley	Fields	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bean	Marionneau	Theunissen
Heitmeier	Schedler	Thomas
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

HOUSE BILL NO. 873—

BY REPRESENTATIVE R. CARTER AND SENATOR HAINKEL
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Missouri Pacific Railroad Company v. The Greater Baton Rouge Port Commission and the State of Louisiana, ex rel the Department of Transportation and Development"; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed Senate Bill No. 873 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 14, after "property" and before "within" insert "or private property without the owner's permission"

Senator Johnson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Thomas
Bean	Marionneau	
Cravins	Schedler	
Total—7		

The Chair declared the amendments proposed by the House were concurred in. Senator Johnson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 84—
BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the commissioner of administration, the Board of Supervisors of Community and Technical Colleges, and the Board of Regents to undertake the funding of a new campus for the Louisiana Technical College - Northwest Campus.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Adley moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Thomas
Bean	Marionneaux	
Cravins	Schedler	
Total—7		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 98—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the feasibility of offering community college services through Louisiana Technical College-Sowela campus in Lake Charles at other regional technical college branch campuses, including the Morgan Smith campus in Jennings, and to determine how the state can best meet the educational needs of students and the economic and workforce development needs of the southwest region of the state.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President
Bean
Cravins
Total—7

Heitmeier
Marionneaux
Schedler

Thomas

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to establish a special committee to study and provide recommendations on the implementation of criminal background checks for employees at institutions of postsecondary education.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Concurrent Resolution No. 99 by Senator Schedler

AMENDMENT NO. 1

On page 2, between lines 19 and 20, insert as follows: "(12) The president of Campus Ten, or his designee."

AMENDMENT NO. 2

On page 3, line 19, after "System," delete "and"

AMENDMENT NO. 3

On page 3, at the end of line 20, before the period insert ", and the president of Campus Ten"

On motion of Senator Theunissen, the committee amendment was adopted.

On motion of Senator Lambert, the resolution was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 153—

BY SENATOR SCHEDLER

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to the establishment of the Medicaid Trust Fund for the Elderly; to create the fund; to provide for monies deposited into the fund, including those received as the result of the intergovernmental transfer program; to provide for allocation of monies in the fund, through the Elderly Support Fund; to provide for unencumbered and unexpended funds to remain in the trust fund at the end of each fiscal year; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 792—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 30:2030(B) and enact R.S. 30:2030(A)(1)(c) and (d), relative to the Department of Environmental Quality; to authorize the classification of security

sensitive information and personal identification information as confidential; and to provide for related matters.

On motion of Senator Barham, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 793—
BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 37:2401(1)(b) and 2410(A) and to enact R.S. 37:2410(D), (E), (F), and (G) and 2422, relative to the practice of physical therapy; to provide for referrals from chiropractors; and to provide for related matters.

On motion of Senator B. Jones, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 869—

BY SENATOR JOHNSON AND REPRESENTATIVE LANDRIEU

AN ACT

To amend and reenact R.S. 40:1261(B) and (D), relative to smoking in the Louisiana Superdome; to prohibit smoking in all areas of the Louisiana Superdome; to provide sanctions for violators; to provide for the promulgation of rules; and to provide for related matters.

The bill was read by title. Senator Johnson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullio
Ellington	Lambert	
Fields	Lentini	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Schedler
Bean	Hollis	Thomas
Cravins	Marionneaux	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Johnson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Lambert in the Chair

SENATE BILL NO. 908—

BY SENATOR HAINKEL

AN ACT

To enact Chapter 9 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:760 through 772, relative to emergency health powers; to provide for a plan dealing with a health emergency; to provide who can declare such an emergency, for what length of time and who can end such an

emergency; to provide for isolation and quarantine of infected citizens; to provide for an organizational and operational structure that is compatible with the Louisiana Emergency Assistance and Disaster Act of 1993; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 908 by Senator Hainkel

AMENDMENT NO. 1

On page 4, line 12, following "stage" and before "collecting" change "or" to "of"

On motion of Senator Lambert, the amendments were adopted.

On motion of Senator Hainkel, Senate Bill No. 908 as amended was recommitted to the Committee on Finance.

SENATE BILL NO. 942—

BY SENATOR THOMAS

AN ACT

To authorize the secretary for the Department of Health and Hospitals and the commissioner of administration, for and on behalf of the state, to enter into an agreement with respect to the exchange of certain properties in Washington Parish; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 990—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 33:2011(B), relative to health insurance; to provide for the classification of certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dupre	Johnson	Theunissen
Ellington	Jones, CD	Ullio
Total—30		

NAYS

Dean	Jones, B	Mount
Total—3		

ABSENT

Mr. President	Heitmeier	Schedler
Bean	Marionneau	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1052—
BY SENATOR HINES

AN ACT

To enact R.S. 9:2713.1 and to amend and reenact R.S. 40:32(1), R.S. 40:34(B)(1)(a)(viii), (h)(v), (i) and (j), relative to gestational surrogacy contracts; to provide for the definition of gestational surrogacy contracts; to provide for the conditions for the enforceability of gestational surrogacy contracts; to provide for a definition of genetic parents; to provide for information to be included on vital records forms; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Marionneau
Bean	Lambert	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1072—
BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:2682, relative to community care services; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1072 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 2, following "2682" and before the comma "," insert "(5)" and to enact 2682(8)"

AMENDMENT NO. 2

On page 1, line 5, following "2682" and before "is" insert "(5)"

AMENDMENT NO. 3

On page 1, line 5, following "reenacted" and before "to" insert "and 2682(8) is enacted"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Malone	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Marionneau
Bean	Jones, B	Thomas
Dean	Lentini	
Total—8		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1088—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 28:826(B), relative to the disability services planning group; to provide for additional members of the consumer task force; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1088 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, following "To" and before the comma "," change "amend and reenact R.S. 28:826(B)" to "enact R.S. 28:826(B)(2)(s) through (z)"

AMENDMENT NO. 2

On page 1, line 6, following "Section 1." and before "to read" change "R.S. 28:826(B) is hereby amended and reenacted" to "R.S. 28:826(B)(2)(s) through (z) are hereby enacted"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Thomas
Bean	Marionneaux	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1090— BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact R.S. 28:771(E), Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to create a human services authority in parishes with a population in excess of four hundred seventy-five thousand persons as of the most recent decennial census; to provide for powers, duties, and functions of the authority; to create a governing board and provide for its membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for the transfer of employees; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1090 by Senator Bajoie

AMENDMENT NO. 1

On page 4, line 8, change "services" to "service"

AMENDMENT NO. 2

On page 13, line 8, at the beginning of the line and before "persons" change "thousands" to "thousand"

On motion of Senator Lambert, the amendments were adopted.

On motion of Senator Bajoie, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1101—

BY SENATOR HOLDEN AND REPRESENTATIVE WESTON-BROOME
AN ACT

To enact Part IV of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1091 through 1093, relative to hospital service districts; to create a parish hospital service district in certain parishes and provide for the powers, duties, functions, and responsibilities of the district; to provide for a governing board of commissioners of each district and for membership of the board; to authorize the issuance of bonds; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1101 by Senator Holden

AMENDMENT NO. 1

On page 2, line 3, following "hundred" and before "ten" delete "and"

On motion of Senator Lambert, the amendments were adopted.

On motion of Senator Holden, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1104—

BY SENATOR HOLLIS

AN ACT

To enact Chapter 16 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:851 through 857, relative to legislative committees; to create and provide for the Joint Legislative Committee on Science and Technology; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Mr. President

Marionneaux

Bean

Thomas

Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 1111—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to public contracts; to provide that a preference be given to products printed in Louisiana; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Total—34

Fontenot
Gautreaux
Heitmeyer
Hines
Holden
Hollis
Hoyt
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Ullo

NAYS

Total—0

ABSENT

Mr. President

Irons

Thomas

Bean

Marionneaux

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Called from the Calendar

Senator Barham asked that Senate Bill No. 792 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 792—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 30:2030(B) and enact R.S. 30:2030(A)(1)(c) and (d), relative to the Department of Environmental Quality; to authorize the classification of security sensitive information and personal identification information as confidential; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 792 by Senator Barham

AMENDMENT NO. 1

On page 2, line 7, after "sensitive" delete "such as" and at the beginning of line 8 delete "information"

AMENDMENT NO. 2

On page 2, line 12, after "Protect" delete "personal identification information, such as"

AMENDMENT NO. 3

On page 2, line 13, after "and" delete "such"

AMENDMENT NO. 4

On page 2, line 14, after "may" delete "choose to"

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed Senate Bill No. 792 by Senator Barham

AMENDMENT NO. 1

On page 2, at the end of line 22, insert the following: "The department shall comply with all state and federal environmental laws and regulations. Further, the department shall not withhold any requested information from any state or federal agency which has regulatory oversight over the department."

On motion of Senator Holden, the amendments were adopted.

The bill was read by title. Senator Barham moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean

Fontenot
Gautreaux
Heitmeyer
Hines
Holden
Hollis
Hoyt
Irons
Johnson

Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith

May 27, 2003

Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 37—
BY REPRESENTATIVE WELCH**

A CONCURRENT RESOLUTION

To urge and request each public postsecondary education management board, in consultation with the Board of Regents, to develop and implement policies to require each institution under its respective jurisdiction to provide information to first-time entering freshmen relative to the dangers of credit card debt as part of a freshman orientation program or other admissions process.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 42—
BY REPRESENTATIVE CRANE**

A CONCURRENT RESOLUTION

To establish a multidisciplinary advisory council to provide advice to the state Department of Education on specific health-related matters as requested by the state superintendent of education on an as-needed basis.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 89—
BY REPRESENTATIVES MCDONALD AND DOWNER**

A CONCURRENT RESOLUTION

To memorialize congress to cease all funding for programs which encourage farmers to leave grain in their fields to supply food for migrating ducks and other aquatic avian species and to memorialize the United States Fish and Wildlife Service to study the impact of such activities.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. Senator Barham moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler

Dean
Dupre
Ellington
Fields
Total—35

Johnson
Jones, B
Jones, CD
Lambert

Smith
Tarver
Theunissen

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Thomas
Ullo

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 114—
BY REPRESENTATIVE LAFLEUR

A CONCURRENT RESOLUTION

To continue the existence of the Louisiana Commission on French and the Louisiana French Study Committee, created in 2001 to assess the condition of the French language in Louisiana.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Cravins moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Total—34

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Smith
Tarver
Theunissen
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—5

Jones, B
Schedler

Thomas

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Mr. President in the Chair

HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVES MURRAY AND HUNTER

A CONCURRENT RESOLUTION

To request the State Board of Elementary and Secondary Education to submit detailed written plans relative to the implementation of the state takeover of failing schools to the House Committee on Education and the Senate Committee on Education not later than September 15, 2003.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Theunissen moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—35

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bean
Jones, B
Total—4

Lambert
Thomas

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 158—
BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal or three-way stop signs on Louisiana Highway 437 at its intersection with Louisiana Highway 40.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dupre
Ellington
Fields
Total—35

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Ullo

NAYS

Dean
Total—1

ABSENT

Bean Jones, B Thomas
Total—3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**House Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 10—
BY REPRESENTATIVES NEVERS AND BRUCE
AN ACT

To amend and reenact R.S. 14:93.3(E), relative to cruelty to the infirmed; to provide for increased penalties for second or subsequent convictions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 13—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 33:1448(K), relative to group insurance for retired sheriffs and deputy sheriffs; to require the sheriff in Claiborne Parish to pay for dental, hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President Bean Thomas
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 57—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Evidence Article 515(C)(10), relative to testimonial privileges; to provide for the accountant-client privilege in domestic proceedings; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President Bean Thomas
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 76—
BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Springhill; to increase the jurisdictional amount of the court; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	

Fields
Total—37

Lentini
NAYS

Total—0

ABSENT

Bean
Total—2

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 175—

BY REPRESENTATIVES BRUNEAU AND KATZ
AN ACT

To amend and reenact R.S. 40:31.33(A), relative to safe drinking water; to change the method of assessment of the safe drinking water administration fee; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Cravins
Dardenne
Dean
Ellington
Fields
Fontenot
Total—35

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bean
Chaisson
Total—4

Dupre
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 223—

BY REPRESENTATIVE MURRAY
AN ACT

To enact Code of Civil Procedure Article 4061.1, relative to natural tutors; to provide exceptions from qualifying in certain circumstances; to provide for the filing of petitions for delictual actions on behalf of minors; to provide for the form of the petition; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Total—37

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bean
Total—2

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 263—

BY REPRESENTATIVES BALDONE AND DOWNER
AN ACT

To enact R.S. 13:2109.5, relative to the City Court of Houma; to authorize the transfer of surplus funds or unclaimed fees from the court's civil fee account to the court's general operational fund; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 445—

BY REPRESENTATIVES WELCH AND DANIEL
AN ACT

To enact R.S. 13:992.1, relative to court costs in the Nineteenth Judicial District Court; to authorize the Nineteenth Judicial District Court and the clerk of court of the Nineteenth Judicial District Court to impose additional costs of court and service charges in certain civil matters; to provide for collection of such costs and charges; to establish a judicial building fund; to provide for the dedication and disbursement of such funds; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

Senator Lambert in the Chair

HOUSE BILL NO. 479—

BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 9:1113, relative to the partition of immovable property; to provide for private sale in certain circumstances; to provide for petition by minority interests for partition; to provide for appraisal; to provide for time limitations; to provide for distribution of proceeds; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Bean	Lentini
Jones, B	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 484—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(I), relative to the civil jurisdiction of the City Court of Leesville; to increase the jurisdictional amount of the court; and to provide for related matters.

On motion of Senator Cain, the bill was read by title and returned to the Calendar, subject to call.

Mr. President in the Chair

HOUSE BILL NO. 485—

BY REPRESENTATIVES TOOMY, FAUCHEUX, AND WELCH
AN ACT

To amend and reenact R.S. 13:782(A)(1), relative to clerks of district courts including the civil clerk of court for the Civil District Court for the Parish of Orleans and the criminal clerk of court for the Criminal District Court for the Parish of Orleans; to provide for a salary increase for the various clerks whose salary is based on the population of their respective parishes; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 518—

BY REPRESENTATIVES JOHNS, CAZAYOUX, DAMICO, DOWNER, FLAVIN, FRITH, FRUGE, FUTRELL, KATZ, MORRISH, NEVERS, PITRE, POWELL, SCALISE, STELLY, STRAIN, THOMPSON, WALSWORTH, WINSTON, AND WOOTON AND SENATORS CHAISSON, GAUTREAU, MICHOT, AND THEUNISSEN

AN ACT

To enact R.S. 9:2799.6, relative to a limitation of liability for damages related to the consumption of certain products; to limit the liability of manufacturers, distributors, and sellers of food and non-alcoholic beverages; to define terms; to provide for applicability; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 518 by Representative Johns

AMENDMENT NO. 1

On page 1, line 11, after "A." insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 3 and 4, insert the following: "Subparagraph 1 of this Paragraph shall not apply when the manufacturer, distributor or seller of the food or non-alcoholic beverage knew or should have known of its harmful effects."

Senator Marionneaux moved adoption of the amendments.

Senator Michot objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Jones, CD
Cain	Heitmeier	Marionneaux
Cravins	Holden	
Total—8		

NAYS

Mr. President	Fontenot	McPherson
Adley	Gautreaux	Michot
Barham	Hollis	Mount
Boissiere	Hoyt	Romero
Chaisson	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Lambert	Theunissen
Ellington	Malone	Ullo
Total—27		

ABSENT

Bean	Lentini
Hines	Thomas
Total—4	

The Chair declared the amendments were rejected.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	McPherson
Adley	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen

Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fontenot	Malone	
Total—31		

NAYS

Bajoie	Holden
Fields	Marionneaux
Total—4	

ABSENT

Bean	Lentini
Cain	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 597—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 13:47, relative to the Judicial Compensation Commission; to provide for legislative approval of the commission's report; to provide for an effective date for salary recommendations; to provide for procedures for approval of the concurrent resolution; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

Senator Lambert in the Chair**HOUSE BILL NO. 736—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 14:100(C)(1), relative to offenses affecting the public safety; to change the criminal penalties for the crime of hit-and-run driving when there is evidence of alcohol or drug use prior to the traffic accident; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Lentini
Bean	Thomas

Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 755—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 40:1472.10(A)(9), relative to the regulation of explosives; to provide for additional grounds for denial, revocation, or suspension of certain explosives licenses; and to provide for related matters.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Reengrossed House Bill No. 755 by Senator Holden

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary C and adopted by the Senate on May 21, 2003, on page 1, line 2, after "insert" delete the remainder of the line and insert "(a) through (r), (t)"

On motion of Senator Holden, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Chaisson	Holden	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Bean	Lentini
Bajoie	Jones, B	Thomas
Total—6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 756—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 40:1472.3(C)(2), relative to regulation of explosives; to provide for nonrefundable license fees; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Lentini
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 757—

BY REPRESENTATIVE KENNARD
AN ACT

To repeal R.S. 40:1472.3(F) and 1472.4(B)(2), relative to explosives; to repeal provisions authorizing persons who do not possess a license to work with explosives provided that the person is working under the immediate and personal supervision and control of a person with a valid license; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 801—

BY REPRESENTATIVE TOOMY
AN ACT

To enact Chapter 1-C of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:61, relative to the Judicial Council of the Supreme Court of Louisiana; to require the council to establish guidelines for the approval of the creation of new judgeships and offices of commissioner, magistrate, and hearing officer; to require the council to provide information to the appropriate standing committees of the legislature; to provide for exceptions; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bean	Thomas
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 869—

BY REPRESENTATIVES MORRELL, HEATON, MARTINY, AND WOOTON

AN ACT

To enact Code of Criminal Procedure Article 814(A)(50.1), relative to responsive verdicts; to provide for responsive verdicts for possession of cocaine; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Schedler	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 874—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 30:2050.7(E)(4), relative to settlements by the secretary of the Department of Environmental Quality of suits for civil penalties; to provide relative to uses of settlement money; to authorize the payment of such settlements; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Cravins	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 981—

BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 9:4751(2), relative to dieticians; to include "dietician" in a certain definition of "health care provider"; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1021—

BY REPRESENTATIVES DEVILLIER, BRUCE, AND MURRAY

AN ACT

To amend and reenact R.S. 14:81.1(F) and 283(D) and R.S. 44:4.1(B)(26) and (27) and to enact R.S. 14:283(E) and R.S. 46:1845, relative to evidence of child pornography, obscenity, and video voyeurism; to declare that certain items of evidence are contraband; to provide for the seizure and disposition of contraband involving child pornographic, video voyeuristic, and obscene evidence; to provide relative to the privacy of victims; to provide for limitation of access to pornographic, video voyeuristic, or obscene evidence; to provide for the disposition of such evidence; to provide for definitions; to provide for a contradictory hearing; to provide for the disposition of evidence; to provide for the issuance of a court order; to provide for guidelines to be used when deciding whether to limit access to certain evidentiary items; to provide for exceptions to the public records law; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bean	Thomas
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1022—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 14:27(B), relative to attempt to commit a crime; to provide for an attempt to commit the crime of arson; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bean	Thomas
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1024—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact Code of Criminal Procedure Article 881.1, relative to criminal sentences; to provide for the reconsideration of the sentence in felony and misdemeanor cases; to provide for the procedure to be used in filing a motion to reconsider a sentence; to provide for the time limit to file such motion; to provide for the form of the motion; to provide for a contradictory hearing; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver

Dupre
Ellington
Total—33

Lambert
Lentini

Theunissen
Ullo

NAYS

Fields
Total—3

Irons

Jones, CD

ABSENT

Mr. President
Total—3

Bean

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1025—

BY REPRESENTATIVES DEVILLIER AND BRUCE
AN ACT

To amend and reenact R.S. 14:93.2.1(B)(2), relative to child desertion; to change the criminal penalties for a second or subsequent conviction of child desertion; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Dean
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1170—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2158(A)(2)(b) and 2226(H)(1), relative to contamination of groundwater through migration; to provide for prevention of migration from sanitary landfills; to provide for prevention of migration at certain hazardous waste sites; and to provide for related matters.

On motion of Senator Cain, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1172—BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 13:1384, relative to criminal district courts; to provide for certain positions or office; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Hines	Marionneaux
Bajoie	Holden	McPherson
Barham	Hollis	Michot
Boissiere	Hoyt	Mount
Cain	Irons	Romero
Cravins	Johnson	Schedler
Dardenne	Jones, B	Smith
Dupre	Jones, CD	Tarver
Ellington	Lambert	Theunissen
Gautreaux	Lentini	Ullo
Heitmeier	Malone	
Total—32		

NAYS

Dean
Total—1

ABSENT

Mr. President	Chaisson	Fontenot
Bean	Fields	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1177—BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 47:2183, relative to tax sales of immovable property; to provide for notice to the prior owner; to provide for applicability to parishes or municipalities; to provide for an effective date and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1228—BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 423(A)(2) and (3), relative to juvenile court; to authorize hearing officers to accept agreements reached in mediation; to provide for application to parishes with a population over four hundred forty thousand; to provide for expiration; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1250—BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 47:1642, relative to the criminal penalty for tax evasion; to increase the penalty for tax evasion; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Cravins	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1284—BY REPRESENTATIVES TOOMY, ANSARDI, CAPELLA, DAMICO,
LANCASTER, AND MARTINY**AN ACT**

To amend and reenact R.S. 13:2562.24(D) and to enact R.S. 13:2562.24(E), relative to the First and Second Parish Courts of Jefferson Parish; to authorize the Jefferson Parish Council and the judges of the courts to provide for a security service charge fee on each filing in the First and Second Parish Courts of Jefferson Parish; to authorize the fee to be used to defray the cost of the purchase, operation, and maintenance of courtroom security devices; to authorize any excess in fees generated to be used to defray the cost of other judicial equipment, facilities, building new facilities, or payment of any bond indebtedness; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1383—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact Code of Criminal Procedure Article 279, relative to extradition costs and expenses; to provide that a person's commercial surety shall pay the expenses of extradition; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1384—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact Code of Criminal Procedure Article 339, relative to types of bail; to provide that defendants may combine different types of bail; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1773—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:1312(D), relative to judicial expense funds; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete prohibition against raising additional fees; to delete requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1845—

BY REPRESENTATIVES DAMICO, PERKINS, PEYCHAUD, JANE SMITH, AND WADDELL

AN ACT

To amend and reenact R.S. 30:2418(H)(introductory paragraph) and (3) and to enact R.S. 36:104(B)(8), relative to waste tires; to provide for agreements between the Departments of Environmental Quality and Economic Development; to provide for use of the Waste Tire Management Fund; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1944—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 27:93(A)(2)(introductory paragraph) and (a), (7)(introductory paragraph) and (c), and (8), to enact R.S. 27:93(A)(9), and to repeal R.S. 27:93(A)(2)(e), (f), and (i), relative to admission fees for riverboats; to provide for allocation of funds derived from riverboat boarding fees on certain riverboats in Bossier Parish; to provide for the levying of boarding fees in Bossier Parish in certain cases; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

Senator Lambert in the Chair

House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Heitmeier asked that House Bill No. 485 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 485—

BY REPRESENTATIVES TOOMY, FAUCHEUX, AND WELCH

AN ACT

To amend and reenact R.S. 13:782(A)(1), relative to clerks of district courts including the civil clerk of court for the Civil District Court for the Parish of Orleans and the criminal clerk of court for the Criminal District Court for the Parish of Orleans; to

provide for a salary increase for the various clerks whose salary is based on the population of their respective parishes; and to provide for related matters.

Motion

Senator Fields moved to return the bill to the Involuntary Calendar.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bajoie	Hollis	Michot
Dardenne	Hoyt	Theunissen
Dean	Jones, B	
Total—11		

NAYS

Adley	Hines	McPherson
Barham	Holden	Mount
Boissiere	Johnson	Romero
Chaisson	Jones, CD	Schedler
Ellington	Lambert	Smith
Gautreaux	Lentini	Tarver
Heitmeier	Marionneaux	Ullo
Total—21		

ABSENT

Bean	Dupre	Thomas
Cain	Fontenot	
Cravins	Irons	
Total—7		

The Chair declared the Senate refused to return the bill to the Involuntary Calendar.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Hines	Marionneaux
Boissiere	Holden	McPherson
Cain	Hoyt	Mount
Chaisson	Johnson	Romero
Dupre	Jones, CD	Schedler
Ellington	Lambert	Smith
Gautreaux	Lentini	Tarver
Heitmeier	Malone	Ullo
Total—24		

NAYS

Barham	Dean	Jones, B
Cravins	Fields	Michot
Dardenne	Hollis	Theunissen
Total—9		

ABSENT

Mr. President	Bean	Irons
Bajoie	Fontenot	Thomas

Total—6

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Cain asked that House Bill No. 1170 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1170—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2158(A)(2)(b) and 2226(H)(1), relative to contamination of groundwater through migration; to provide for prevention of migration from sanitary landfills; to provide for prevention of migration at certain hazardous waste sites; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed House Bill No. 1170 by Representative Damico

AMENDMENT NO. 1

Delete Senate Committee Amendment #1 and on page 2, line 1, after "migration." delete the remainder of the line and insert in the following: "For any permit application filed after July 1, 2003, for a new sanitary landfill site, or for an expansion of an existing landfill site, such"

On motion of Senator Cain, the amendments were adopted.

The bill was read by title. Senator Cain moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Ullo

Total—37

NAYS

Total—0

ABSENT

Bean

Thomas

Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

DISAGREEMENT TO HOUSE BILL

May 27, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 987 by Representative DeWitt, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 27, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 33—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:291(P)(2) and 304(B) and to enact R.S. 38:291(P)(4), relative to the South Lafourche Levee District; to provide for membership of the board of commissioners; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 34—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:291(T)(2) and 304(B) and to enact R.S. 38:291(T)(4), relative to the North Lafourche Conservation, Levee and Drainage District; to provide for membership of the board of commissioners; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 44—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:252(A)(2) and (B)(1), relative to roads and highways; provides for alternate bids on selected highway

project contracts; requires quarterly reports on the bids; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 64—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide a ten-year prescriptive period for educational debts owed to certain institutions of higher education; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 353—

BY SENATOR MCPHERSON
AN ACT

To enact R.S. 32:408(B)(6), relative to driver's licenses; to provide for the office of motor vehicles to issue a temporary driver's permit under certain conditions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 665—

BY SENATOR HEITMEIER
AN ACT

To designate certain portions of Louisiana Highway 23 as the Mel Ott Parkway; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 829—

BY SENATOR BARHAM
AN ACT

To enact Part XXVI of Chapter 13 of Title 38, consisting of R.S. 38:3087.190 through 3087.194, relative to water conservation; to create the Morehouse Parish Lake Commission; to provide for powers, membership, officers, terms, meetings, and compensation of the commission; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1093—

BY SENATOR FIELDS
AN ACT

To enact R.S. 47:463.111, relative to motor vehicle license plates; to provide for a special prestige license plate for the Louisiana Leadership Institute; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 261—

BY SENATOR HOYT
AN ACT

To repeal R.S. 48:491(B)(3), relative to roads and highways; to provide with respect to local and parish roads and eliminate an exception for Vermilion Parish; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 729—

BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 32:387.5, relative to special permits; to authorize vehicles traveling under special permits to use a portion of Interstate 49 as an alternate route for certain highways; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 988—

BY SENATORS MOUNT AND CAIN AND REPRESENTATIVE JOHNS
AN ACT

To designate a certain portion of Louisiana Highway 27 in Calcasieu Parish as the Horace Lynn Jones Memorial Highway; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 591—

BY SENATOR DARDENNE
AN ACT

To enact R.S. 33:9029.2(C), relative to cooperative endeavors involving the state; to require approval of public contracts for such cooperative endeavors by the State Bond Commission prior to execution; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 621—

BY SENATOR MICHOT
AN ACT

To amend and reenact R.S. 47:463.94(C), relative to special prestige license plates; to provide for the royalty fee for the Camp Woodmen license plate; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 854—

BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 32:364(A), relative to motor vehicles; to provide for certain safety devices on motor vehicles; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1047 (Substitute for Senate Bill No. 48)—

BY SENATOR HAINKEL
AN ACT

To designate a portion of Interstate 55 as the "Congressman Jimmy Morrison Highway".

Reported without amendments.

SENATE BILL NO. 100—

BY SENATOR CAIN AND REPRESENTATIVE HILL
AN ACT

To designate a portion of Louisiana Highway 110 located in the town of Merryville as the "C.E. Buddy Slaydon Memorial Drive".

Reported without amendments.

SENATE BILL NO. 172—

BY SENATOR MARIONNEAUX
AN ACT

To designate a certain portion of Louisiana Highway 75 as the Martin Luther King, Jr. Parkway; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1043—

BY SENATOR CAIN
AN ACT

To designate a portion of Louisiana Highway 394 in Beauregard Parish as the "Clayton Iles Memorial Highway".

Reported without amendments.

SENATE BILL NO. 41—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:217(A), relative to roads and highways; to provide for the acquisition of rights-of-way on certain highway projects; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 101—

BY SENATOR CAIN AND REPRESENTATIVE HILL

AN ACT

To designate a portion of Louisiana Highway 109 and Highway 389 located in Beauregard Parish as the "Frank Hennigan Memorial Drive".

Reported without amendments.

SENATE BILL NO. 339—

BY SENATOR IRONS

AN ACT

To enact R.S. 47:463.111, relative to motor vehicle license plates; to provide for a special prestige license plate for Invest in Children; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1106—

BY SENATOR THOMAS

AN ACT

To designate a portion of Louisiana Highway 424 in Washington Parish as the "Simon S. Thomas Memorial Highway".

Reported without amendments.

SENATE BILL NO. 109—

BY SENATOR DUPRE

AN ACT

To enact Part XV-A of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3086.21 through 3086.26, and to repeal Act No. 113 of the 1950 Regular Session, Act No. 192 of the 1952 Regular Session, Act No. 13 of the 1958 Extraordinary Session, Act No. 186 of the 1970 Regular Session, Act No. 393 of the 1981 Regular Session, Act No. 31 of the 1983 First Extraordinary Session, Act No. 905 of the 1991 Regular Session, Act No. 196 of the 1992 Regular Session, Act No. 953 of the 1995 Regular Session, Act No. 82 of the 1996 Extraordinary Session, Act No. 521 of the 1997 Regular Session, Act No. 2 of the 1998 Extraordinary Session, Act No. 803 of the 2001 Regular Session, Act No. 19 of the 2002 Extraordinary Session, and Act No. 95 of the 2002 Extraordinary Session, relative to the Bayou Lafourche Freshwater District; to codify certain existing laws governing the creation and powers, duties, functions, and responsibilities of the Bayou Lafourche Fresh Water District and the board of commissioners of the district; to provide for the powers, duties, functions, and responsibilities of the board; to provide for the selection of commissioners from the parish of Lafourche; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 144—

BY SENATOR ROMERO

AN ACT

To enact R.S. 47:463.111, relative to motor vehicle license plates; to provide for a special prestige license plate for Junior Golf; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 953—

BY SENATORS DARDENNE, FIELDS AND FONTENOT

AN ACT

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in certain parishes; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 32—

BY SENATOR DUPRE

AN ACT

To enact R.S. 38:291(U)(2)(d), relative to the Terrebonne Levee and Conservation District; to provide for the membership of the board of commissioners; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 113—

BY SENATOR DUPRE

AN ACT

To enact R.S. 32:414(P), relative to motor vehicles; to provide for the suspension of a driver's license for certain criminal violations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 214—

BY SENATORS DUPRE, CAIN, SCHEDLER, ADLEY, BARHAM, BOISSIERE, CHAISSON, CRAVINS, DARDENNE, FIELDS, ELLINGTON, FONTENOT, GAUTREAUX, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, TARVER, THEUNISSEN AND THOMAS AND REPRESENTATIVES PITRE AND DOWNER

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.2(B) and (C) and 10.5(C) of the Constitution of Louisiana and to add Article VII, Section 10(D)(2)(e) and (f) of the Constitution of Louisiana, relative to state funds; to provide for credit and appropriation of monies in the Mineral Revenue Audit and Settlement Fund for deposit in the Wetlands Conservation and Restoration Fund; to provide for the cap on the balance of certain mineral revenues that can be in the balance of the Wetlands Conservation and Restoration Fund; to provide for the allocation of appropriation of nonrecurring revenues for deposit into the Wetlands Conservation and Restoration Fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 577—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 30:2025(D), relative to enforcement of environmental violations; to provide for a program for expedited enforcement for minor environmental violations; to authorize the secretary to promulgate rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 568—

BY SENATORS DUPRE, CAIN, SCHEDLER, ADLEY, BARHAM, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, FIELDS, FONTENOT, GAUTREAUX, HINES, HOLLIS, HOYT, IRONS, LAMBERT, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, TARVER AND THEUNISSEN

AN ACT

To amend and reenact R.S. 39:97(C) and R.S. 49:213.7(B)(1) and (D) and to enact R.S. 39:34(B)(2)(d) and 54(B)(2)(d) and (e) and to repeal R.S. 49:213.7(B)(3), relative to state funds; to provide for credit and appropriation of monies in the Mineral

Revenue Audit and Settlement Fund for deposit in the Wetlands Conservation and Restoration Fund; to provide for a cap on the balance of certain mineral revenues that can be in the balance of the Wetlands Conservation and Restoration Fund; to provide for the allocation of appropriation of nonrecurring revenues for deposit into the Wetlands Conservation and Restoration Fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 402—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2012(D), relative to environmental quality; to provide that the Department of Environmental Quality develop new criteria for compliance inspections; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Introduction of Resolutions,
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 56—
BY SENATOR BAJOIE

A RESOLUTION

To commend Delta Sigma Theta Sorority, Inc., for its achievements and designates May 28, 2003, as Delta Sigma Theta Sorority "Red and White" Day at the Senate of the Legislature of Louisiana.

On motion of Senator Bajoie, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 103—
BY SENATOR HOYT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide for adequate and immediate protection, stabilization, and maintenance of the Intracoastal Waterway canal banks in Southwest Louisiana.

On motion of Senator Hoyt, the resolution was read by title and referred to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATOR BOISSIERE

A CONCURRENT RESOLUTION

To suspend various sections of Title 37 of the Louisiana Revised Statutes of 1950 and those portions of the Louisiana Administrative Code as they may impose certain mandatory requirements for the continuation of any licensure or certification for any individual while in the active military service of the United States or any of its allies.

On motion of Senator Boissiere, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 105—

BY SENATORS BAJOIE, BOISSIERE, IRONS, JOHNSON AND HAINKEL
A CONCURRENT RESOLUTION

To congratulate Marc Haydel Morial on his selection as president of the National Urban League and to commend his focus and his determination to resolve the need to improve the economic status of African Americans in America.

The resolution was read by title. Senator Bajoie moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Bean
Total—2
Thomas

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request city, parish, and other local public school boards and superintendents to consider the issues involved and establish policies which address the inappropriateness of permitting school related activities planned and conducted for the participation of students in facilities which exist primarily to support the conduct of gaming.

On motion of Senator Mount, the resolution was read by title and referred to the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 107—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To request the Bureau of Vital Statistics to report to the Governor's Commission on Marriage and Family divorce data for the state over the last five years.

On motion of Senator Smith, the resolution was read by title and referred to the Committee on Judiciary A.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 17, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 174—
BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT
A CONCURRENT RESOLUTION

To commend the Reserve Christian High School basketball team for an exceptional season and for winning the Class B State Championship.

HOUSE CONCURRENT RESOLUTION NO. 175—
BY REPRESENTATIVE BAUDOUIN
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality and the Department of Health and Hospitals to investigate the source of elevated dioxin levels in residents of Lafayette Parish and to report their findings to the House Committee on the Environment and the Senate Committee on Environmental Quality prior to the 2004 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 177—
BY REPRESENTATIVES FRITH AND TOWNSEND
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to add the official job title of public officials, at their option, as an item on a personal driver's license.

HOUSE CONCURRENT RESOLUTION NO. 178—
BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from federal, state, or local government retirement systems.

HOUSE CONCURRENT RESOLUTION NO. 179—
BY REPRESENTATIVE MURRAY
A CONCURRENT RESOLUTION

To recognize and commend Bishop Paul S. Morton, Sr. for his service to the African American business community and the city of New Orleans.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Schedler asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 174—
BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT
A CONCURRENT RESOLUTION

To commend the Reserve Christian High School basketball team for an exceptional season and for winning the Class B State Championship.

The resolution was read by title. Senator Lambert moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bean	Thomas
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 175—
BY REPRESENTATIVE BAUDOUIN
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality and the Department of Health and Hospitals to investigate the source of elevated dioxin levels in residents of Lafayette Parish and to report their findings to the House Committee on the Environment and the Senate Committee on Environmental Quality prior to the 2004 Regular Session.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Environmental Quality.

HOUSE CONCURRENT RESOLUTION NO. 177—
BY REPRESENTATIVES FRITH AND TOWNSEND
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to add the official job title of public officials, at their option, as an item on a personal driver's license.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 178—
BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from federal, state, or local government retirement systems.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE CONCURRENT RESOLUTION NO. 179—
BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To recognize and commend Bishop Paul S. Morton, Sr. for his service to the African American business community and the city of New Orleans.

The resolution was read by title. Senator Irons moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Dean	Marionneaux
Bean	Jones, B	Thomas
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 17, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1348—
BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 34:3254(C), relative to the Grand Isle Port Commission; to provide with respect to the maximum amount of indebtedness which may be incurred by the commission; to provide that indebtedness incurred by the commission shall not be guaranteed by the town of Grand Isle; and to provide for related matters.

HOUSE BILL NO. 1896—
BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 9:2800.13, relative to liability for damages related to transportation of material by carrier; to provide for specific findings of fact; to provide for a determination of causation; to provide for evidence of negligence or fault; to provide for the applicability of comparative fault; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 1348—
BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 34:3254(C), relative to the Grand Isle Port Commission; to provide with respect to the maximum amount of indebtedness which may be incurred by the commission; to provide that indebtedness incurred by the commission shall not be guaranteed by the town of Grand Isle; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1896—
BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 9:2800.13, relative to liability for damages related to transportation of material by carrier; to provide for specific findings of fact; to provide for a determination of causation; to provide for evidence of negligence or fault; to provide for the applicability of comparative fault; and to provide for related matters.

The bill was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 27, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

HOUSE BILL NO. 379—
BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:2582(A), relative to justices of the peace; to require a high school diploma or equivalent as a qualification for office; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 720—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact Children's Code Article 791.1, relative to the truancy and assessment and service center pilot program; to authorize the creation of a truancy and assessment and service center in the parish of Allen; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 950—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact Children's Code Articles 896(D) and 900(A) and to enact Children's Code Article 898(C)(6), relative to the delinquency of juveniles; to provide with respect to the effective period of a deferred dispositional agreement, a judgment of disposition in a misdemeanor-grade adjudication, and a judgment of disposition in a felony-grade adjudication; to provide that these time periods may be extended for any juvenile participating or ordered to participate in a juvenile drug court program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1016—

BY REPRESENTATIVES DEVILLIER AND HEATON

AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(introductory paragraph), relative to eligibility for intensive parole supervision under the supervision of the Department of Public Safety and Corrections; to provide for eligibility of persons convicted of certain controlled dangerous substances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1023—

BY REPRESENTATIVE DEVILLIER

AN ACT

To enact R.S. 13:5304(B)(10.1), relative to eligibility for the drug division probation program; to provide that a prior conviction or adjudication for simple battery shall not be the sole basis for denying eligibility for the drug division probation program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1128—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(D) and (E)(2), relative to the civil jurisdiction of the City Court of Monroe; to increase the jurisdictional amount of the court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1776—

BY REPRESENTATIVES MONTGOMERY AND L. JACKSON

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(a), (b), and (c)(i), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to change the dedication of certain monies derived from the conduct of slot machine gaming in Bossier Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1832—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 13:847(F), relative to fees clerks of court receive in criminal cases; to authorize a clerk of a district court in a parish with a population of between forty-two thousand eight hundred and forty-three thousand five hundred to receive an additional fee in expungement cases; to provide for use of the funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1851—

BY REPRESENTATIVES DEVILLIER, FARRAR, AND BRUCE

AN ACT

To amend and reenact R.S. 40:1563.1(C) and to enact R.S. 40:1563.1(D), relative to local arson investigators; to provide for training, certification, and qualification; to clarify their powers and duties; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Lentini, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 27, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

SENATE BILL NO. 992—

BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 14:89(B) and to enact R.S. 14:89(C), relative to crime; to provide relative to crime against nature; to provide for the exception of certain acts from such crime; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 111—

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 14:72.3, relative to identification of an alleged offender; to provide that a victim of a crime involving theft of identity or personal information can obtain the identity of an alleged offender who is arrested for certain crimes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 115—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Article 871(B)(1)(a) and (2)(introductory paragraph), relative to criminal records; to provide that the sheriff shall attach, rather than affix, the fingerprints of each defendant convicted of a felony or of certain misdemeanors to the bill of indictment or information which resulted in the conviction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 116—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 40:2616(A)(2), relative to the allocation of forfeited property; to delete the requirement that motor vehicles seized by law enforcement agencies and used in the course and scope of undercover surveillance and investigation of violations of the Uniform Controlled Dangerous Substances Law be sold after six months; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 181—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 45:163(C)(5) through (8), relative to the enforcement agents of the Public Service Commission; to provide that those enforcement agents shall be commissioned law enforcement officers; to provide for the powers of those enforcement agents, including the authority to carry weapons; to provide for the qualifications of those enforcement agents; to provide for the training of those enforcement agents; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 221—

BY REPRESENTATIVE FARRAR
AN ACT

To enact Code of Criminal Procedure Article 885.1, relative to criminal penalties; to provide relative to the suspension of a driver's license for failing to pay fines assessed as a criminal penalty within a certain period of time; to provide for the issuance of a temporary permit; to provide for notice; to provide for the duration of the suspension; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 16:15(C) and (F), relative to fees a district attorney may charge for collection on worthless or forged checks, drafts, or orders; to increase the fees based on the amount of the worthless or forged check, draft, or order; to increase the fee the district attorney is required to charge on behalf of the person or entity that honored the worthless or forged check, draft, or order; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1011—

BY REPRESENTATIVE DEVILLIER
AN ACT

To enact R.S. 40:1002, relative to controlled dangerous substances; to create the crime of the creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1093—

BY REPRESENTATIVES TOOMY AND WELCH
AN ACT

To amend and reenact R.S. 33:1421(A)(1), relative to the compensation of sheriffs in parishes with a population of four hundred thousand or less; to provide for certain salary increases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1118—

BY REPRESENTATIVES TOOMY AND BRUCE
AN ACT

To enact R.S. 15:85.1, relative to original bonds; to provide for a fee to be assessed in connection with certain criminal bonds posted; to provide for the collection of the fees; to provide for the distribution of the fee proceeds; to provide for the creation of a crime lab committee in each parish and to provide for its membership and duties; to provide for criteria in determining which persons may petition the court for a waiver of the fees; to provide for refunds of the fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1460—

BY REPRESENTATIVES TOOMY, CAPELLA, R. CARTER, DARTEZ, FAUCHEUX, GALLOT, HEATON, M. JACKSON, AND WELCH
AN ACT

To amend and reenact R.S. 26:932(5) and (7), 933(B)(introductory paragraph) and (C)(7), 934(5), 935(A), (B)(1)(a) and (2), and (C), and 939 and to enact R.S. 26:932(8) and (9), relative to the Responsible Vendor Program; to include the serving or selling of tobacco products in the program; to include holders of Retail Dealer Registration Certificates and Retail Dealer Permits in the program; to provide for definitions; to provide for suspension or revocation of a server's permit for selling or serving tobacco products to an underage person; to provide for exceptions to the suspension or revocation of a vendor's permit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1640—

BY REPRESENTATIVES TOOMY AND FAUCHEUX
AN ACT

To amend and reenact R.S. 32:57.1(B) and to enact R.S. 32:57.2, relative to suspended driver's license; to provide for the reinstatement penalty of an operator's license when an arrested person fails to honor a written promise to appear in court; to provide for an additional fee to be paid to the office of the prosecuting authority for certain expenses relative to the suspended driver's license; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

May 27, 2003

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

SENATE BILL NO. 757—

BY SENATOR HOYT
AN ACT

To enact R.S. 40:1154(C) and (D), relative to public health; to require the issuance of licenses for the installation of certain sewage treatment systems; to require the issuance of licenses for the maintenance of certain sewage treatment systems; to provide

for certain materials to be filed with the department by manufacturers of certain sewage treatment systems; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize the U.S. Coast Guard, Eighth Coast Guard District, to coordinate with the Louisiana oil spill coordinator's office efforts to prevent dumping of materials from vessels in state coastal waters.

Reported favorably.

HOUSE BILL NO. 522—

BY REPRESENTATIVES JANE SMITH, DAMICO, MONTGOMERY, PEYCHAUD, WADDELL, AND WOOTON
AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2418(M)(3), relative to the disposal of waste tires; to provide for fees collected on new tires; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 807—

BY REPRESENTATIVES DURAND AND DAMICO
AN ACT

To amend and reenact R.S. 30:2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness and Response Act; extends period for collection of certain fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 886—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 30:2066, relative to fees paid to the Department of Environmental Quality; to authorize fees paid by major sources of air contaminants in severe and extreme ozone nonattainment zones; to provide for the annual adjustment of such fees; to provide for definitions; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1334—

BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 30:2074(B)(9), relative to water quality; to provide for an effluent reduction credit banking system; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

Rules Suspended

Senator B. Jones asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 982 from the Committee on Health and Welfare.

HOUSE BILL NO. 982—

BY REPRESENTATIVES WELCH, L. JACKSON, AND M. JACKSON
AN ACT

To amend and reenact R.S. 37:2401(1)(b) and 2410(A) and to enact R.S. 37:2410(D), (E), (F), and (G) and 2422, relative to the practice of physical therapy; to provide for referrals from chiropractors; and to provide for related matters.

Floor Amendments Sent Up

Senator B. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 982 by Representative Welch (Duplicate of Senate Bill No. 793)

AMENDMENT NO. 1

On page 3, line 14, immediately after "plan of care" delete the remainder of the line in its entirety.

On motion of Senator B. Jones, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 793, was read by title and referred to the Legislative Bureau.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 27, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATORS GAUTREUX, LAMBERT AND MCPHERSON AND REPRESENTATIVE MURRAY
A CONCURRENT RESOLUTION

To re-create and continue a study commission to coordinate state policy options to mitigate the projected impact of global changes in climate as they relate to Louisiana business, wetlands, agricultural activities, economy, and environment.

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATOR CHAISSON
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study re-routing truck traffic from Jackson Street in the city of Thibodaux.

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR MOUNT
A CONCURRENT RESOLUTION

To create and provide with respect to a task force to study common driver distractions, including communications technology and nontechnological activities, and submit recommendations to the legislature.

May 27, 2003

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development and its secretary to work with the contractor in order to expedite the completion of the existing street projects on the campus of Southern University and Agricultural and Mechanical College in Baton Rouge on or before August 15, 2003.

SENATE CONCURRENT RESOLUTION NO. 82—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Louisiana Judicial College to institute mandatory continuing legal education for judges on the family law topics of child custody and child support guidelines.

SENATE CONCURRENT RESOLUTION NO. 96—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To commend the student members and faculty advisors and sponsors of the Louisiana State University at Eunice Students in Free Enterprise Team.

SENATE CONCURRENT RESOLUTION NO. 97—

BY SENATOR HOYT

A CONCURRENT RESOLUTION

To proclaim May 21, 2003, as "Louisiana Chemical Industry Good Neighbor Day."

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bean	1 Day	Thomas	1 Day
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Adjournment

Senator Lambert moved that the Senate adjourn until Wednesday, May 28, 2003, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, May 28, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk